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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

ENVIRONMENTAL FUNCTIONAL REVIEW FOR JOHN F. KENNEDY SPACE CENTER

DRAFT REPORT

FOR OFFICIAL USE ONLY

Prepared for:

Environmental Management Division (Code JE)
NASA Headquarters

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List of Acronyms

ACM	Asbestos-containing material
AFS	Air Force Station
ARF	Assembly and Refurbishment Facility
AST	Aboveground Storage Tank
BART	Best Available Retrofit Technology
BMAP	Best Management Action Plan
BPD	Backflow prevention device
CA	Corrective Action
CAA	Clean Air Act
CAIR	Clean Air Interstate Rule
CAMR	Clean Air Mercury Rule
CCAFS	Cape Canaveral Air Force Station
CCSP	Climate Change Science Program
CEQ	Council of Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	*Code of Federal Regulations*
CHS	Comprehensive Health Services
CMS	Chemical Management System
CMT	Chemical Management Team
CWA	Clean Water Act
dB	Decibel
DOT	Department of Transportation
DPS	Distinct Vertebrate Population Segment
EFR	Environmental Functional Review
EM	Environmental Management
EMCS	Energy Management Control System
EMO	Environmental Management Office
EMS	Environmental Management System
EO	Executive Order
EPA	U.S. Environmental Protection Agency
EPO	Environmental Program Office
FAC	Florida Administrative Code
FAMS	Facility Asbestos Management System
FDEP	Florida Department of Environmental Protection
FONSI	Finding of no significant impact
FOS	Facility Operations Services
FR	Federal register
FTED	Facilities and Test Engineering Division

List of Acronyms (continued)

gpd	Gallons per day
gpm	Gallons per minute
HAP	Hazardous air pollutant
HCFC	Hydrochloroflurocarbon
HM	Hazardous Materials
hp	Horsepower
HQ	Headquarters
ICE	Internal combustion engine
ICR	Information collection request
IPCC	Intergovernmental Panel on Climate Change
IRIS	Integrated Risk Information System
JBOSC	Joint-Base Operations Support Contractor
kg	kilogram
KSC	John F. Kennedy Space Center
LBP	Lead-based Paint
LC	Launch Complex
LQG	Large quantity generator
M&O	Maintenance and Operations
MG	Mega gallon
mg/L	Milligrams per liter
MILA	Merritt Island Launch Annex
mmBtu	Million British thermal units
MOA	Memorandum of Agreement
MS4	Multiple Separate Storm Sewer Systems
MSDS	Material Safety Data Sheet
MSRP	Multi-Species Recovery Plan
mw	megawatt
NAAQS	National Ambient Air Quality Standards
NACA	National Advisory Committee for Aeronautics
NASA	National Aeronautics and Space Administration
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NFA	No Further Action
NHL	National Historic Landmark
NHPA	National Historic Preservation Act
NMSP	Nanoscale Materials Stewardship Program
NOAA	National Oceanographic and Atmospheric Agency
NPDES	National Pollutant Discharge Elimination System

List of Acronyms (continued)

NPL	National Priorities List
NPS	National Park Service
NRHP	National Register of Historic Places
NSPS	New Source Performance Standards
NSR	New Source Review
NWP	Nationwide Permits
O_3	Ozone
ODS	Ozone-depleting substance
OSAD	Office of Safety and Assurance Technologies
P2	Pollution Prevention
PA	Preliminary Assessment
PACM	Presumed asbestos-containing material
PAL	Platwide Applicability Limits
PCB	Polychlorinated biphenyl
PCE	Perchloroethylene
PES	Preliminary Environmental Survey
POL	Petroleum, Oils, and Lubricants
POP	Persistent Organic Pollutant
POTW	Publicly-owned Treatment Works
PPE	Personal protective equipment
ppm	Parts per million
PSD	Prevention of Significant Deterioration
PSD	Prevention of significant deterioration
psig	Pounds per square inch gauge
PWQ	Process Waste Questionnaire
RACT	Reasonable Achievable Control Technology
RCRA	Resource Conservation and Recovery Act
REC	Record of Environmental Consideration
RMP	Risk Management Plan
RRAC	Regulatory Risk Analysis and Communication
SAFETEA-LU	Safe Accountable Flexible Efficient Transportation Equity Act: A legacy for users
SAP	Synthesis and Assessment Product
SARA	Superfund Amendments and Reauthorization Act
SGS	Space Gateway Support
SI	Spark Ignition
SLF	Shuttle Landing Facility
SMT	Species Management Team

List of Acronyms (continued)

SNAP	Significant New Alternatives Project
SPCC	Spill Prevention, Control, and Countermeasure
SRB	Solid Rocket Boosters
STS	Space Transportation System
SWPPP	Storm Water Pollution Prevention Plan
TCE	Trichloroethylene
TEAM	The Environmental Assessment and Management
TMDL	Total Maximum Daily Load
TRI	Toxic release inventory
TRP	Technical Response Package
TSCA	Toxic Substances Control Act
U.S.	United States
URS	URS Group, Inc.
USA	United Space Alliance
USACE	U.S. Army Corps of Engineers
USC	United States Code
USFWS	U.S. Fish and Wildlife Service
UST	Underground Storage Tank
VAB	Vehicle Assembly Building
VOC	Volatile Organic Compound
WMT	Waste Management Team
ZAP	Zones of Archaeological Potential

ES Executive Summary

ES-1 Purpose and Scope

This Environmental Functional Review (EFR) report presents the results of the environmental compliance review conducted at the National Aeronautics and Space Administration (NASA) Kennedy Space Center (KSC). The EFR for NASA KSC was conducted from16 through 20 July 2007. This functional review was initiated by the Environmental Management Division (Code OJE) of NASA Headquarters, and was conducted using *The Environmental Assessment and Management (TEAM) Guides* (Revised June 2007), written by the U.S. Army Corps of Engineers Construction Engineering Research Laboratory.

The primary purpose of the EFR Program is to allow NASA Headquarters to provide visibility and to more accurately assess compliance of each Center's environmental program. In addition, the EFR reports will be used to advise NASA senior management of environmental issues that may impact agency environmental plans; to meet Government Accounting Office, Inspector General, and Presidential directives; and to enhance communication between NASA Headquarters and Center and Facility management.

The scope of NASA EFR Program is to assess compliance with federal, state, local, and NASA environmental laws and regulations. All environmental media described in the *TEAM Guides* were used for this functional review.

The EFR Team consisted of NASA Headquarters and URS Group, Inc. (URS) contractor personnel. The EFR was divided into two broad areas: Environmental Program Management Assessment and Regulatory Compliance Assessment. The URS team members were responsible for conducting the Regulatory Compliance Assessment, and the NASA Headquarters personnel focused on the Environmental Program Management Assessment. This report details the Regulatory Compliance Assessment results only. The results of the Environmental Program Management Assessment will be published by Code OJE under separate cover.

During this assessment, the EFR Team members interviewed designated KSC civil servant and contractor employees responsible for various aspects of the environmental program. Additionally, the EFR Team toured facilities that performed environmentally-related operations. Team members were escorted to buildings and other work areas, and were provided access to necessary areas of the KSC facilities.

ES-2 Findings Categories

Environmental compliance findings are categorized as significant, regulatory, or policy. Significant findings can result in a direct and immediate or imminent threat to human health or safety, the environment, or the Center's mission. Regulatory findings indicate noncompliance with a federal, state, or local regulation or permit condition and could result in a Notice of Violation or enforcement action. Policy findings indicate noncompliance with NASA policy, guidance, or instruction documents.

In addition to environmental compliance findings, this report contains general observations. Observations are divided into two categories: positive observations and management practices. Positive observations are activities that go beyond what is required by a particular environmental standard. Management practices, although not required by regulation, are recommendations that, if implemented, could help reduce the potential for enforcement action or improve local environmental programs.

ES-3 Summary of Findings

Tables ES-1 presents a numerical summary of the findings and observations for KSC. The EFR Team identified no significant findings, 79 regulatory findings, no policy findings, 7 management practices, and 7 positive observations. The media-specific sections of this report provide descriptions of each finding and observation. Appendix A presents summary listings of the findings and observations, providing titles and categories.

Table ES-1. Summary of Findings and Observations

Environmental Media	Findings			Total Findings	Observations		Total Observations	Grand Total
	Significant	Regulatory	Policy		MP	Positive		
Air Emissions Management	0	7	0	7	0	0	0	7
Cultural Resources Management	0	0	0	0	1	0	1	1
Hazardous Materials Management	0	9	0	9	0	0	0	9
Hazardous Waste Management	0	19	0	19	2	2	4	23
Natural Resources Management	0	0	0	0	0	1	1	1
NEPA, P2, CA, and Noise	0	1	0	1	0	1	1	2
Pesticide Management	0	0	0	0	0	0	0	0
POL Management	0	5	0	5	0	1	1	6
Solid Waste Management	0	0	0	0	1	0	1	1
Storage Tank Management	0	8	0	8	0	0	0	8
Toxic Substances Management	0	0	0	0	2	1	3	3
Wastewater Management	0	16	0	16	0	1	1	17
Water Quality Management	0	14	0	14	1	0	1	15
TOTAL	**0**	**79**	**0**	**79**	**7**	**7**	**14**	**93**

Notes:
NEPA = National Environmental Policy Act
P2 = Pollution Prevention
CA = Corrective Action
POL = Petroleum, Oils, Lubricants
MP = Management Practice

ES-4 Program Health Indicators

As part of this EFR, an overall program health indicator was assigned to each program area (i.e., protocol). Program health indicators are intended to help Station Management better understand the overall health effects of their environmental program by evaluating each environmental medium separately. The assigning of program health indicators is based on a qualitative evaluation of each program area. The indicator categories are defined as follows:

- **Healthy**—Program is good and on track in meeting requirements, and little risk of enforcement action exists;
- **Needs Improvement**—Program does not meet regulatory and procedural requirements in one or more program area, and some risk of enforcement action exists, if inspected; and
- **Requires Immediate Attention**—Program does not meet major requirements in most program areas, and significant risk of enforcement action(s) exists.

Program health indicators are generally determined by two factors:

1. Whether the problems identified represent systemic problems versus isolated incidents; and
2. Whether the problems identified represent key elements for that program, such that if missing, the program is likely to be substantially out of compliance.

Table ES-2 presents the program health indicators for KSC for the EFR protocols and provides a brief rationale for the health level assigned.

Table ES-2. Program Area, Program Health Indicators, and Rationale

Program Area	Program Health Indicator	Rationale
Air Emissions Management	Healthy	• Good understanding of regulations. • Good relationship with regulators.
Cultural Resources Management	Healthy	• Strong knowledge base. • Excellent Geographic Information System layers. • Good relationship with State Historic Preservation Office.
Hazardous Materials Management	Needs Improvement	• KSC manages a comprehensive Material Safety Data Sheet system. • Chemical purchases for all the various contractors at the Center appear to be well controlled with appropriate processes and accountability. • Chemical storage was observed to be in good condition with the exception of compressed gas cylinder storage, incompatible storage, and having complete label information on primary and secondary containers for hazardous materials in the shop. • Superfund Title III reports were complete and well supported. • Shipping and receiving of hazardous materials appears to be in compliance. • Hazardous Materials Transportation Security Planning/ Training program needs some improvement in the area of in-depth training.

Table ES-2. Program Area, Program Health Indicators, and Rationale (continued)

Program Area	Program Health Indicator	Rationale
Hazardous Waste Management	Healthy	• Each on-site contractor visited had procedures in place to control and identify hazardous waste. • The KSC program has been resilient to enforcement, with the exception of recent non-routine contractor activities.
Natural Resources Management	Healthy	• Great relationship with U.S. Fish and Wildlife Service, National Park Service and St. Johns River Water Management District. • Proactive program initiatives.
Other Environmental Issues	Healthy	• Ongoing and proactive pollution prevention initiatives. • In-depth knowledge of National Environmental Policy program.
Pesticide Management	Healthy	• No findings.
POL Management	Healthy	• Thorough site-specific Spill Prevention, Control, and Countermeasures Plan. • Complete and up-to-date inspection records. • Improvement on switching from single-wall to double-wall containment systems.
Solid Waste Management	Healthy	• Adequate segregation of cardboard containers and food-related waste. • Actively pursuing recycling opportunities. • Efficient medical waste management program.
Storage Tank Management	Needs Improvement	• Defective operation or lack of tank overfill devices. • Inadequate tank venting. • Some poor tank installations.
Toxic Substances Management	Healthy	• Employee training, the Facility Asbestos Management System database, and work controls contribute to effective management of asbestos-containing materials. • Polychlorinated biphenyl (PCB) program is effective. Retrofill or removal of PCB transformers has been almost completed. • Minimal requirements related to lead and radon apply, and have been met.

Table ES-2. Program Area, Program Health Indicators, and Rationale (continued)

Program Area	Program Health Indicator	Rationale
Wastewater Management	Needs Improvement	• Several deficiencies were identified in the storm water program for construction sites (i.e., unpermitted site, SWPPPs not properly implemented, and missing inspection records for older sites). • Evidence of some unpermitted sources (i.e., industrial activities that were not covered under the NPDES General Permit for Storm Water Discharges from Industrial Activities). • Unknown pipe at Launch Complex 39B. • Groundwater concentrations in the compliance monitoring well at the Sea Water Immersion Facility exceed permit limits.
Water Quality Management	Needs Improvement	• Noncompliance with Consumption Use Permit. • Five repeat findings out of 15.

1.0 Environmental Functional Review Program

1.1. Introduction

The National Aeronautics and Space Administration (NASA) Headquarters, Environmental Management Division (Code JE), has functional and management oversight of environmental compliance at all the NASA Centers and component installations.

The Environmental Functional Review (EFR) Program was established and will be managed on a three-year cycle using *The Environmental Assessment and Management (TEAM) Guides*, which are developed and are maintained by the United States Army Corps of Engineers (USACE) Construction Engineering Research Laboratory. (The federal guide is updated quarterly and the state guide is updated annually.) Table 1-1 shows the environmental media protocols presented in the *TEAM Guides*.

Table 1-1. Protocols Available in *TEAM Guides*

Environmental Media/Program Area	*TEAM Guide* Section Number
Air Emissions Management	1
Cultural Resources Management	2
Hazardous Materials Management	3
Hazardous Waste Management	4
Natural Resources Management	5
Other Environmental Issues Environmental Impacts Environmental Noise Corrective Action Pollution Prevention	6
Pesticide Management	7
Petroleum, Oils, and Lubricants Management	8
Solid Waste Management	9
Storage Tank Management	10
Toxic Substances Management Polychlorinated Biphenyls Asbestos Radon Lead-based Paint	11
Wastewater Management	12
Water Quality Management	13

1.2. Purpose and Scope

The primary purposes of the EFR Program are to allow NASA Headquarters to acquire a better understanding of each Center's environmental structure and management, to provide an interactive process that brings an external perspective to the Centers' environmental programs, and to foster proactive relations and communication between the NASA field installations and NASA Headquarters. The results of the EFR reports are a means to advise NASA Centers and Headquarters senior management of environmental management and technical issues. The scope of the EFR Program consists of the following:

- Select the appropriate environmental auditing protocol and checklist tool;
- Select the NASA Centers to be visited during each calendar year;
- Select the EFR Team;
- Develop a site visit and report schedule;
- Conduct the functional review site visit; and
- Develop and distribute the report.

1.3. Process

The EFR was conducted from 16 through 20 July 2007 at NASA's Kennedy Space Center (KSC) located in the Cape Canaveral, Florida area.

Prior to the site visit, the EFR Team was selected, which consisted of NASA Headquarters and URS Group, Inc. (URS) personnel. Table 1-2 presents the names and responsibilities of the EFR Team members. During the site visit, the URS personnel:

- Reviewed KSC environmental records, reports, and files;
- Interviewed key personnel;
- Visually inspected operating systems and facilities; and
- Documented the results.

Following the site visit, this report was developed to present the results of this EFR.

Table 1-2. Environmental Functional Review Team Members and Responsibilities

Team Member	Organization	Responsibility
Mr. Michael Green	NASA Headquarters, Washington DC	NASA Environmental Functional Review Team Leader and NASA Environmental Program Management Assessment
Ms. Maria Johnson, PE	URS, Santa Ana, CA	Contractor Project Manager
Mr. Robert Coleman	URS, Metairie, LA	Air Emissions Management
Mr. Jim Denier	URS, Denver, CO	Cultural/Natural Resources Management and Other Environmental Issues
Ms. Rebecca Fricke, PE Ms. Maria Johnson, PE	URS, Morrisville, NC URS, Santa Ana, CA	Hazardous Materials Management
Dr. Kaye Sigmon Mr. Richard Fowler, JD	URS, Denver, CO URS, Santa Ana, CA	Hazardous Waste Management
Ms. Amy Montalbano	URS, Santa Ana, CA	Other Environmental Issues and Solid Waste Management
Dr. William Hancuff	URS, Reston, VA	Pesticides and Water Quality Management
Mr. Steve Kummerfeldt, PE	URS, Santa Ana, CA	POL and Storage Tank Management
Ms. Sally Miller, CIH	URS, Denver, CO	Toxic Substances Management
Mr. Paul Lorenz	URS, Denver, CO	Wastewater Management
Ms. Laura Waterworth	URS, Denver, CO	EFR Coordinator

Notes:
NASA = National Aeronautics and Space Administration
POL = Petroleum, Oils, and Lubricants

1.4. Findings Categories

Environmental compliance findings are categorized as significant, regulatory, or policy. Findings are rank-ordered according to severity, with significant findings being the most severe and requiring immediate action. Significant findings are those that can result in a direct and immediate or imminent threat to human health or safety, the environment, or the Center's mission. Regulatory findings indicate noncompliance with a federal, state, or local regulation or permit condition and could result in a Notice of Violation or enforcement action. Policy findings indicate noncompliance with NASA policy, guidance, or instruction documents.

In addition to environmental compliance findings, this report contains general observations. Observations are divided into two categories: positive observations and management practices. Positive observations are activities that go beyond what is required by a particular environmental standard. An example of a positive observation may be an innovative process change that resulted in a measurable cost or labor savings, or waste minimization. Management practices, although not required by regulation, are recommendations that, if

implemented, could help reduce the potential for enforcement action or improve local environmental programs.

1.5. Upcoming Regulations

A new element within the EFR Program includes a review of upcoming regulations that have the potential to impact NASA Centers at some point in the future. NASA Headquarters (HQ) has provided URS with access to subscriptions to weekly federal and biweekly state regulatory overview and review summary notices.

URS began receiving the weekly federal regulatory summary on 8 August 2006 and the biweekly state regulatory summary on 16 August 2006. The weekly federal regulatory summary and the biweekly state regulatory summary were provided to NASA as a service of Naval Facilities Engineering Service Center, Port Hueneme, California. Beginning 26 January 2007, URS began receiving a biweekly report containing both federal and state regulatory summaries from the NASA Principal Center for Regulatory Risk Analysis and Communication. The summaries are screened to include environmental and health/safety items judged relevant to NASA or of broad general relevance.

Table 1-3 contains a summary of the upcoming federal regulations identified in the notices between 11 August and 29 December 2006. Table 1-4 contains a summary of the upcoming federal regulations identified in the notices between 26 January and 23 March 2007. These tables were previously presented in the Glenn Research – Plum Brook Station and Stennis Space Center EFR 2007 Reports. Table 1-5 contains a summary of the upcoming regulations identified between 6 April 2007 through 13 July 2007. Table 1-6 contains a summary of the upcoming state regulations identified in the notices between 16 August 2006 and 13 July 2007.

As additional Centers are evaluated within the EFR Program, the federal summary list is likely to grow and may need further editing and refinement to provide NASA with summaries that, in the judgment of the EFR assessors, may have the potential to have the greatest future impacts. The last columns within the tables present a subjective impact which, in the opinion of the EFR assessor, is a High (H), Medium (M), Low (L), or Not Applicable (NA) potential impact. Please note that although 13 media are represented within the TEAM Guide protocols, not all 13 media will have representation in the Upcoming Regulations tables presented here.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (HAT/NA)
Air Emissions	National Emission Standards for Hazardous Air Pollutants (NESHAPs) Surface Coating of Automobiles and Light-Duty Trucks	Final rule amendments to the NESHAPs for Surface Coating of Miscellaneous Metal Parts and Products (Miscellaneous Metal Parts NESHAP) and the NESHAPs for Surface Coating of Plastic Parts and Products (Plastic Parts NESHAP) to maintain consistency between these rules and the Automobiles and Light-Duty Trucks NESHAP.	40 Code of Federal (CFR) 63	The direct final rule became effective on 20 February 2007.	NA This amendment applies to equipment used for surface coating of new automobile or new light-duty truck bodies, or body parts for new automobiles or new light-duty trucks.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions	NESHAP; Once In Always In Policy	Proposed amendments which would replace the policy colloquially known as the "Once in always in policy." The policy is described in a 16 May 1995 U.S. EPA memorandum entitled, "Potential to Emit for MACT Standards – Guidance on Timing Issues." As proposed, a major source may become an area source at any time by obtaining a permit limiting its potential Hazardous Air Pollutant (HAP) emissions below the major source thresholds of 10 tons per year (tpy) of any single HAP or 25 tpy of any two combinations of HAPs. After the permit containing the HAP Potential to Emit (PTE) limit becomes effective, the source is no longer subject to major source NESHAPs and is only subject to applicable area source NESHAPs.	40 CFR 63	Not identified	NA No impact. By reversing the "once in always in" policy, U.S. EPA is making the rule less stringent and giving sources more options and flexibility to comply with HAP emission requirements. This change only affects sources that are or previously were major sources of HAPs. GRC is and always has been an area source, so this rule does not affect them.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (L/M/H/NA)
Air Emissions	NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters: Reconsideration	U.S. EPA has amended the NESHAP for industrial, commercial, and institutional boilers and process heaters (69 Federal Register [FR] 55218) promulgated on 13 September 2004. This rule applies to boilers and process heaters located at major HAP sources.	40 CFR 63	This final rule became effective on 5 February 2007.	NA This change only affects sources that are or previously were major sources of HAPs. GRC is and always has been an area source, so this rule does not affect them.
Air Emissions	State and Federal Operating Permits Programs - Interpreting the Scope of Certain Monitoring Requirements	U.S. EPA has provided an interpretation of requirements for monitoring to assure compliance with Title V permits.	40 CFR 70 40 CFR 71	The final rule interpretation became effective on 16 January 2007.	L This is actually an interpretation, not a rule. It is not a "risk" but is potentially helpful. U.S. EPA comes down on the side of limiting the State's authority to impose new monitoring or re-assess the sufficiency of monitoring during the Title V permit process.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (L/M/S/NA)
Air Emissions	Onboard Diagnostic Systems (OBDs) for New Large Trucks and Buses	U.S. EPA has issued a proposed rule to require the emissions control systems of large diesel and gasoline highway trucks and buses, weighing over 14,000 pounds, be monitored for malfunctions via an OBD. This proposal would require manufacturers to install OBD systems that monitor the functioning of emission control components and alert the vehicle operator to any detected need for emission-related repair.	40 CFR 86	Not identified	L This rule applies to vehicle manufacturers. It could affect GRC because it could affect the cost of vehicles.
Air Emissions	Revisions to Ambient Air Monitoring Regulations	U.S. EPA has issued final amendments to the ambient air monitoring requirements for criteria pollutants. The amendments establish limited ambient air monitoring requirements for thoracic coarse particles in the size range of PM10-2.5 to support continued research into these particles' distribution, sources, and health effects. The rule applies to federal agencies that conduct ambient air monitoring similar to that conducted by states under 40 CFR 58 and that wish U.S. EPA to use their monitoring data in the same manner as state data or that elect to submit an application for a reference or equivalent method determination under 40 CFR 53.	40 CFR 53 40 CFR 58	This final rule became effective on 18 December 2006.	NA This rule does not impact GRC because it does not perform ambient air monitoring for National Ambient Air Quality Standards (NAAQS).

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Significant Impact (H/M/L/NA)
Air Emissions	NAAQS for PM	U.S. EPA has revised the primary and secondary NAAQS for PM. For primary standards for fine particles (less than or equal to PM2.5) revisions include: - The level of 24-hour PM2.5 standard is revised to 35 micrograms per cubic meter (revised from 65 micrograms per cubic meter). - The level of the annual PM2.5 standard remains at 15 micrograms per cubic meter. - The form of annual PM2.5 standard is revised with regard to the criteria for spatial averaging, such that averaging across monitoring sites is allowed if the annual mean concentration at each monitoring site is within 10% of the spatially averaged annual mean, and the daily values for each monitoring site pair yield a correlation coefficient of at least 0.9 for each calendar quarter. For primary standards for particles less than or equal to PM10 revisions include: - Retaining the 24-hour PM10 standard. - Revoking the annual PM10 standard.	40 CFR 50	U.S. EPA is not finalizing the proposed NAAQS for PM10-2.5 at this time. The final rule became effective on 18 December 2006.	H This change in the NAAQS will potentially impact permitting of new stationary emission sources.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions	Substitutes for Ozone Depleting Substances (ODSs)	U.S. EPA has approved new substitutes for ODSs, for use in the following sectors: refrigeration and air conditioning, foam blowing, cleaning solvents, aerosols, and sterilants.	40 CFR 82	Not identified	NA Not really an impact, just helpful information from U.S. EPA.
Air Emissions	Substitutes for ODSs - Fire Suppression and Explosion Protection	U.S. EPA has issued a direct final rule that lists four substitutes for ODSs in the fire suppression and explosion protection sector, as acceptable subject to use conditions. The substitutes are: - Gelled Halocarbon/Dry Chemical Suspension With Sodium Bicarbonate Additive (Envirogel With Sodium Bicarbonate Additive)-- as a halon 1301 substitute for total flooding uses in occupied areas; - Powdered Aerosol D (Aero-K), Stat-X), as a halon 1301 substitute for total flooding uses, only in areas that are not normally occupied; - Powdered Aerosol E (FirePro), as a halon 1301 substitute for total flooding agent uses only in normally unoccupied areas; - Phosphorous tribromide (PBr3), as a halon 1301 substitute for total flooding uses, only in aircraft engine nacelles.	40 CFR 82	This rule is effective on 27 November 2006 without further notice, unless U.S. EPA received adverse comment by 27 October 2006.	NA Not really an impact, just helpful information from U.S. EPA.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions	NSR - Debottlenecking, Aggregation, and Project Netting	U.S. EPA has proposed changes to the NSR rules. The proposal addresses: 1) Debottlenecking: U.S. EPA is proposing to change how NSR applies when an owner or operator modifies one portion of a facility in such a manner that production or throughput in other unchanged portions of the facility increases, thereby increasing overall efficiency of the facility; known as a "debottlenecking" project. Under the proposal, unchanged portions of the facility would not be subject to NSR if emissions from those portions have already been taken into account in a prior permit or regulatory action. 2) Aggregation: U.S. EPA is proposing to clarify how NSR applies when multiple projects are implemented at a facility. U.S. EPA is proposing that projects that are related should be treated as a single project (e.g., aggregated) if one of them is dependent on another. The rule provides additional information about how U.S. EPA makes this determination. Continued next page.	40 CFR 51 40 CFR 52	Not identified	L Aggregation, netting, and debottlenecking are all very important concepts applicable to new stationary source permitting. However, the types of sources permitted by GRC are rarely impacted by these regulatory concepts.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions	NSR - Debottlenecking, Aggregation, and Project Netting **(Continued)**	3) Project Netting: U.S. EPA is proposing to simplify the step in the calculation used to determine whether NSR applies when emissions increases and decreases are added together (called "netting").			
Air Emissions	NESHAP: Site Remediation	U.S. EPA has amended the Site Remediation NESHAP to resolve issues and questions subsequent to promulgation; correct technical omissions; and correct typographical, cross-reference, and grammatical errors.	40 CFR 63	Not identified	NA This rule is applicable to certain remediation activities. U.S. EPA adds an exemption for short-term remediation and makes other clarifications. This change only affects sources that are or previously were major sources of HAPs. GRC is and always has been an area source, so this rule does not affect them.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions	Administrative Reporting Exemption for Certain Air Releases of Nitrogen Oxide and Nitrogen Dioxide	U.S. EPA has issued a final rule exempting, from CERCLA and EPCRA reporting requirements, releases of nitrogen oxide and nitrogen dioxide to air that result from combustion and combustion-related activities, when the release is less than 1,000 pounds of nitrogen oxide or nitrogen dioxide, per 24 hours. Nitrogen oxide and nitrogen dioxide are treated as separate chemicals,(i.e., the administrative reporting exemption affords a 1,000 pound exemption to nitrogen oxide and another 1,000 pound exemption to nitrogen dioxide). U.S. EPA applied the exemption broadly to combustion and combustion related operations. Examples include emissions from internal combustion engines, detonation of explosives, and releases from processes that include both combustion and non-combustion operations, such as nitric acid production.	40 CFR 302 40 CFR 355	This final rule became effective on 3 November 2006.	NA This rule raises the reporting threshold for emergency releases of nitrogen oxide and nitrogen dioxide from combustion and combustion-related operations. GRC does not conduct operations that result in emergency releases of nitrogen oxide or nitrogen dioxide.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Materials	TRI Burden Reduction Proposed Rule	U.S. EPA has issued a TRI rule to allow facility owners and operators to use Form A (instead of Form R) for reporting certain PBT chemicals to the EPCRA 313 TRI and also to expand the use of Form A for non-PBT chemicals. The rule allows limited use of Form A for PBT chemicals when total annual releases a PBT chemical are zero and the total annual amount of the PBT chemical recycled, combusted for energy, and treated for destruction does not exceed 500 pounds. The rule also expands non-PBT chemical eligibility for Form A by raising the threshold to 5,000 pounds of total annual waste management (i.e., releases, recycling, energy, recovery, and treatment for destruction) provided total annual releases of the non-PBT chemical comprise no more than 2,000 pounds of the 5,000-pound total waste management limit.	40 CFR 372	The rule became effective on 22 January 2007. First reports with the revised reporting requirements will be due on or before 1 July 2007 for the 2006 reporting year.	NA PBS does not submit Form Rs; therefore, the Form A substitution would not be applicable to them.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Materials	Hazardous Materials Regulations (HMR) - Miscellaneous Amendments	DOT, PHMSA has proposed miscellaneous amendments to the HMR to update, clarify, or provide relief from certain regulatory requirements. Among other changes, PHMSA is proposing a new proper shipping name and UN identification number for fuel mixtures composed of ethanol and gasoline to help emergency response personnel respond appropriately to incidents involving such fuel mixtures.	49 CFR 171-173 49 CFR 175 40 CFR 177-178 40 CFR 180		L Current operations on PBS do not include the transportation of fuel mixtures containing ethanol and gasoline. The only possible change to fuels on the station is the use of hypergols, which would require other DOT requirements that the station environmental personnel are well aware of.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Oils/Spills/ SPCC	Spill Prevention, Control, and Countermeasure (SPCC) Plan Requirements - Amendments	U.S. EPA has issued the final rule amending the SPCC regulations. Facilities that have oil-filled equipment, where the equipment meets requirements for its reportable discharge history may, in lieu of secondary containment, implement an inspection and monitoring program, develop an oil spill contingency plan, and provide a written commitment of resources. The oil storage capacity of oil-filled equipment still counts towards the aggregate oil storage capacity of the facility. Facilities that have 10,000 gallons or less in aggregate aboveground oil storage capacity, and meet the oil discharge history criteria, may prepare a self-certified SPCC Plan instead of one reviewed and certified by a PE.	40 CFR 112	This rule is effective on 26 February 2007.	M These amendments can be incorporated into the station-specific SPCC implementations.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Oils/Spills/ SPCC	Oil Pollution Prevention; Non-Transportation Related Onshore Facilities	U.S. EPA is proposing to extend the dates by which facilities must prepare or amend SPCC Plans and implement those plans. A facility in operation on or before 16 August 2002 would have to make any necessary amendments to its SPCC Plan, and implement that Plan, on or before 1 July 2009. A facility that came into operation after 16 August 2002 would have to prepare and implement an SPCC Plan on or before 1 July 2009.	40 CFR 112	See summary	H This allows an additional 20 months to bring programs into compliance.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Other - Affirmative Procurement	Designation of Biobased Items for Federal Procurement	USDA has proposed to designate the following 10 biobased products (with minimum percentage biobased content) for federal procurement preference: - Bath and tile cleaners, 74 percent - Clothing products, 6 percent - Concrete and asphalt release fluids, 87 percent - Cutting, drilling, and tapping oils, 64 percent - De-icers, 97 percent (does not include deicers for aircraft, or for aircraft runway deicing) - Durable films, 64 percent (refers to bags and packaging, not building vapor barriers) - Firearm lubricants, 49 percent - Floor strippers, 79 percent - Laundry products, 8 percent and - Wood and concrete sealers, 79 percent Military exemptions: For clothing, de-icers, and firearm lubricants, products designed or procured for combat or combat-related missions would be exempted. All items would be exempted from procurement for spacecraft systems and launch support equipment.	7 CFR 2902		L PBS received a finding related to not having an up–to- date Affirmative Procurement Program. Since there is an exemption noted for procurement for spacecraft systems and launch support equipment, this was rated as a low vulnerability.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Other - Corrective Action	Update to Agency for Toxic Substances and Disease Registry (ATSDR) Policy Guideline for Dioxins and Dioxin-Like Compounds in Residential Soil	Revision of its 1998 Policy Guideline for Dioxins and Dioxin-Like Compounds in Residential Soil. Changes to the policy include: -Deletion of the 1 ppb action level as the criteria for taking specific public health actions - Retention of the 0.05 ppb Screening Level; -Recommendation To Conduct Exposure Pathways Analyses for Dioxins and Dioxin-Like Compounds; and - Updated TEFs; the 2006 World Health Organization TEFs for dioxins and dioxin-like compounds have been included in the updated document.		Comments due 27 February 2007	L Current PBS remediation projects do not include dioxins.

Table 1-3. Upcoming Federal Regulations, 11 August 2006 through 29 December 2006 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Pesticide Management	Application of Pesticides to Waters of the United States in Compliance With Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA	U.S. EPA has issued a final rule clarifying two specific circumstances in which a Clean Water Act NPDES permit is not required to apply pesticides to or around water. They are: 1) The application of pesticides directly to water in order to control pests (examples include applications to control mosquito larvae, aquatic weeds, or other pests that are present in waters of the United States); and 2) The application of pesticides to control pests that are present over or near water, where a portion of the pesticides will unavoidably be deposited to the water in order to target the pests. For example, when insecticides are aerially applied to a forest canopy where waters of the United States may be present below the canopy or when pesticides are applied over or near water for control of adult mosquitoes or other pests.	40 CFR 122	The final regulation became effective on 26 January 2007.	L GRC does not typically directly or indirectly apply pesticides to or around any waters of the United States.

Notes:

ATSDR	=	Agency for Toxic Substances and Disease Registry
CERCLA	=	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	=	Code of Federal Regulations
DOT	=	Department of Transportation
EPA	=	Environmental Protection Agency
EPCRA	=	Emergency Planning and Community Right-To-Know Act
FIFRA	=	Federal Insecticide, Fungicide, and Rodenticide Act
FR	=	Federal Register
HAP	=	Hazardous Air Pollutant
HMR	=	Hazardous Materials Regulations
NAAQS	=	National Ambient Air Quality Standards
NESHAP	=	National Emissions Standards for Hazardous Air Pollutant
NPDES	=	National Pollutant Discharge Elimination System
NSR	=	New Source Review
OBD	=	Onboard diagnostic system
ODS	=	Ozone-depleting substance
PBT	=	Persistent, bioaccumulative, and toxic
PE	=	Professional Engineer
PHMSA	=	Pipeline and Hazardous Materials Safety Administration
PM	=	Particulate matter
PM2.5	=	2.5 micrometers in diameter
PM10	=	10 micrometers in diameter
ppb	=	parts per billion
PTE	=	Potential-to-emit
SPCC	=	Spill Prevention, Control, and Countermeasure
TEFs	=	Toxicity Equivalency Factors
TRI	=	Toxics Release Inventory
tpy	=	Tons per year
USDA	=	United States Department of Agriculture
U.S. EPA	=	United Stated EPA

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	National Emission Standards for Hazardous Air Pollutants (NESHAPs) Proposed amendments that would replace the policy colloquially known as the "Once in always in policy."	The policy is described in a 16 May 1995 U.S. Environmental Protection Agency (EPA) memorandum entitled, "Potential to Emit for MACT Standards– Guidance on Timing Issues." As proposed, a major source may become an area source at any time by obtaining a permit limiting its potential hazardous air pollutant (HAP) emissions below the major source thresholds of 10 tons per year (tpy) of any single HAP or 25 tpy of a combination of any two HAPs. After the permit containing the HAP potential to emit (PTE) limit becomes effective, the source is no longer subject to major source NESHAPs and is only subject to applicable area source NESHAPs. Possible impacts to facilities, including space flight support facilities. Kennedy Space Center (KSC) and Marshall Space Flight Center (MSFC) currently are major sources of HAPs; Michoud Assembly Facility (MAF) recently attained "synthetic minor" status. As proposed, this rule potentially could allow MAF to be considered an area source, no longer subject to any NESHAP requirements for major sources. However, this rule also will require any facility switching from major source to area source status to comply with any applicable area source regulations.	40 *Code of Federal Regulations* (CFR) 63 72 *Federal Register* (FR) 69	Notice of Proposed Rule Making (NPRM) 1/3/2007 Final 12/2007	N/A No impact. By reversing the "once in always in" policy, EPA is making the rule less stringent and giving sources more options and flexibility to comply with HAP emission requirements. This change only affects sources that are or previously were major sources of HAPs. SSC is and always has been an area source, so this rule does not affect them.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	Clean Air Act (CAA) Volatile Organic Compound (VOC) Definition	Adds 1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-trifluoromethyl-pentane [also known as HFE 7300, L 14787, or C2F5CF(OCH3)CF(CF3)2] to the list of compounds excluded from EPA's definition of VOCs. Users that are subject to EPA regulations that limit VOC content or emissions will no longer need to consider HFE 7300 as a VOC in determining regulatory obligations. Some state regulatory requirements also may be affected in states that use EPA's definition of VOCs. Uses of HFE 7300, either alone or in mixtures, include refrigerant and heat transfer fluid applications and solvent applications for coatings, cleaning agents, and lubricants. Considered a more environmentally friendly material, HFE 7300 may be a potential candidate substitute in efforts to replace ozone depleting substances (ODSs) and substances with high global warming potential.	72 FR 2193	Effective 1/18/2007	N/A No impact. This chemical is used in very small quantities, if at all at SSC.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/N/A)
Air Emissions Management	CAA New Source Performance Standards (NSPS) – Solid Waste Incinerators	EPA previously received a petition for reconsideration of the Other Solid Waste Incineration unit (OSWI) rules. EPA subsequently announced reconsideration of whether sewage sludge incinerators should be excluded from these rules and requested comments. EPA has concluded that no additional changes are necessary to the final OSWI rules. With respect to all other issues raised by the petitioner, EPA denies the request for reconsideration.	72 FR 2620 40 CFR Part 60	Effective 1/22/2007	N/A No impact. This rule applies to incinerators. SSC does not operate any incinerators.
Air Emissions Management	U.S. Court of Appeals Vacated the 8-hour Ozone (O_3) Implementation Rule	On 22 December 2006, the U.S. Court of Appeals vacated the implementation rule for the 8-hour ozone National Ambient Air Quality Standards (NAAQS) because some of the requirements were too weak to conform to the CAA.		Decided 12/22/2006	N/A No impact. These proposed rules apply to O_3 non-attainment areas (i.e. areas that do not meet the 8-hour O_3 NAAQS). SSC will not be impacted because it is located in an O_3 attainment area.
Air Emissions Management	NESHAP: Defense Land Systems and Miscellaneous Equipment (DLSME)	Possible impact to Ground Operations. Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and ground support equipment (GSE).		NPRM August 2007 Final Action 8/2008	M This rulemaking is in the very early stages. A notice of proposed rulemaking has not been issued yet. The rule is specifically intended to address surface coating (painting) activities at DoD and NASA facilities. However, it is too early in the rulemaking process to assess the impact on SSC. Risk is rated medium because this rulemaking should be tracked as it progresses.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	CAA: Continued Use of ODS in Mission-Critical Applications	Space vehicle operational impacts. NASA is currently in discussions with EPA regarding options to enable future use of relatively small quantities of ODSs for mission-critical applications. Latest discussions suggest that future production of ODSs will require the certified destruction of other, existing ODSs (contaminated, etc.) with an offset of approximately 15 percent.		NPRM 9/2007 Final Action 1/2009	M This rulemaking is in the very early stages. A notice of proposed rulemaking has not been issued yet. It is too early in the rulemaking process to assess the impact on SSC. Risk is rated medium because this rulemaking should be tracked as it progresses.
Air Emissions Management	NESHAP: Risk and Technology Review, Phase II	Possible space vehicle operational or materials impacts. Evaluation of residual risk remaining after implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities.		Advanced Notice of Proposed Rule Making 1/2007 NPRM 6/2007 Final 6/2008	M This rulemaking is in the very early stages. A notice of proposed rulemaking has not been issued yet. It is too early in the rulemaking process to assess the impact on SSC. Risk is rated medium because this rulemaking should be tracked as it progresses.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	CAA: NSPS–Medial Waste Incinerators	Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Hospital/Medical/Infectious Waste Incinerators. Proposes to revise the emission limits in the subject NSPS and emission guidelines.	40 CFR Part 60	Comments due 4/9/2007	N/A No impact. This rule applies to medical waste incinerators. SSC does not operate a medical waste incinerator.
Air Emissions Management	CAA: NSPS–Steam Generators	Standards of Performance for Several Types of Steam Generators; Reconsideration and Amendments Proposes to amend specific provisions in the NSPS for several types of steam-generating units to resolve issues and questions, and to correct technical and editorial errors that have been identified since promulgation.	40 CFR Part 60	CAA: NSPS–Steam Generators	L EPA is reducing requirements that do not enhance air quality, including eliminating particulate matter standards for boilers firing natural gas. EPA is reducing the fuel use monitoring requirements for gas-fired boilers with a heat input between 10 and 100 million British thermal units per hour from daily to monthly. Effects, if any, will be to make compliance less burdensome.
Air Emissions Management	CAA: Test Methods	Notice of Broadly Applicable Alternative Test Methods Announces EPA's plan to issue broadly applicable alternative test method approvals in the future. EPA will post these broadly applicable approvals on the technology transfer network website, as well as announce them in the FR.	72 FR 4257		N/A No impact. SSC is not required to conduct emission testing.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	CAA: General Conformity	Federal Aviation Administration (FAA), Department of Transportation (DOT) The CAA requires that all federal actions conform to an applicable State Implementation Plan (SIP). In this Notice, the FAA is proposing categories of actions involving agency approval and financial assistance for airport projects that would be presumed to conform. Facilities with airstrips should consider reviewing for potential applicability.	72 FR 6641	Comments due 03/29/2007	N/A No impact. SSC is not subject to the conformity rule because it is not located in an NAAQS non-attainment or maintenance area.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	DLSME NESHAP Update	The DLSME NESHAP will apply to NASA's facilities and GSE surface coating and related operations at Centers that are major sources of HAPs. MSFC and KSC are the only NASA Centers considered major sources of HAPs. It is likely that the rule also will include select applicability for area sources (non-major sources of HAPs) that conduct depainting and auto body refinishing operations. The HAP emissions generated by NASA account for less than 1 percent of the total HAP emissions covered under this rule, which includes Department of Defense (DoD) surface coating operations. Control measures or material substitution requirements probably would result in small emission reductions. EPA currently does not plan to include HAP content limits for specific NASA coatings under this rule. There will be organic HAP limits for certain military specification coatings. Data indicate that usage of these coatings is minimal at NASA Centers. Language in the draft rule will include the use of non-HAP cleaning solvents, unless technical specification documents specifically call for the use of specific organic HAP-containing cleaners.		EPA plans to issue the proposed rule in 6/2007 and to finalize the rule in 2008. After a NESHAP is promulgated, affected facilities typically have three years to implement its provisions. If the DLSME NESHAP rulemaking remains on schedule, the rule's provisions must be implemented by 2011.	N/A No impact. This rule applies to major sources of HAPs. SSC is not a major source of HAPs.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	Control of HAPs from Mobile Sources	Adopts controls on gasoline, passenger vehicles, and portable fuel containers (primarily gas cans) that will significantly reduce emissions of benzene and other HAPs ("mobile source air toxics"): • Limits the benzene content of gasoline to an annual refinery average of 0.62% by volume, beginning in 2011; • Establishes a maximum average standard for gasoline for refineries of 1.3% by volume beginning on 07/04/2012; • Limits exhaust emissions of hydrocarbons from passenger vehicles when they are operated at cold temperatures, which will be phased in from 2010 to 2015; • Adopts evaporative emissions standards for passenger vehicles that are equivalent to those currently in effect in California; and • Adopts a hydrocarbon emissions standard for portable fuel containers beginning in 2009, which will reduce evaporation and spillage of gasoline from these containers. This regulation has requirements only for manufacturers and not end-users.	72 FR 8427 40 CFR Parts 59, 80, 85, and 86	Effective 04/27/2007	N/A No impact. This regulation has requirements only for manufacturers and not end users.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Reasonable Possibility in Recordkeeping	Clarifies the "reasonable possibility" recordkeeping and reporting standard of the 2002 NSR reform rules. The "reasonable possibility" standard identifies, for sources and reviewing authorities, the circumstances under which a major stationary source undergoing a modification that does not trigger major NSR must keep records.	40 CFR Parts 51 and 52 72 FR 10445	Comments due 03/22/2007	N/A No impact. This rule applies to major sources of criteria pollutant emissions or sources located in nonattainment areas with respect to the NAAQS. This rule does not apply to SSC because it is located in an attainment area and is not a major source of criteria pollutant emissions.
Air Emissions Management	Nonattainment NSR	Finalizes revisions to the nonattainment NSR program. These revisions implement changes to the preconstruction review requirements for major stationary sources in nonattainment areas in interim periods between the designation of new nonattainment areas and the adoption of a revised SIP. These changes do not include NSR reform provisions for "clean units" or "pollution control projects." In addition, these changes include an interim interpretation of the NSR reform provision for a "reasonable possibility" standard for recordkeeping and reporting requirements. This interim interpretation to the "reasonable possibility" standard applies for Appendix S purposes, pending the completion of rulemaking to develop a more complete interpretation.	72 FR 10367 40 CFR Part 51	Effective 05/07/2007	N/A No impact. This rule applies to sources located in nonattainment areas with respect to the NAAQS. SSC is located in an attainment area.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/N/A)
Air Emissions Management	O_3 Monitoring Ambient Air Monitoring Reference and Equivalent Methods: Designation of a New Equivalent Method	Notice of designation of a new equivalent method for measuring concentrations of O_3 in the ambient air as follows: EQSA-0207-164, "SIR S.A. Model S-5014 Photometric O_3 Analyzer," operated on the 0- to 500 parts per billion measurement range, within an ambient temperature range of 20 to 30° C, with a sample inlet particulate filter, and with or without an optional personal computer memory card.	72 FR 8985		N/A No impact. SSC does not monitor ambient O_3 levels.
Air Emissions Management	Treatment of Data Influenced by Exceptional Events	Finalizes a rule to govern the review and handling of air quality monitoring data influenced by exceptional events. Exceptional events are events for which the normal planning and regulatory process established by the CAA is not appropriate. Finalizes the proposal to exclude air quality monitoring data from regulatory determinations related to exceedances or violations of the NAAQS and to avoid designating an area as nonattainment, redesignating an area as nonattainment, or reclassifying an existing nonattainment area to a higher classification if a state adequately demonstrates that an exceptional event has caused an exceedance or violation of a NAAQS. Also requires states to take reasonable measures to mitigate the impacts of an exceptional event.	40 CFR Parts 50 and 51 72 FR 13559	Effective 05/21/2007	N/A No impact. This rule applies to areas that are nonattainment with respect to the NAAQS or are likely to become nonattainment. SSC is located in an attainment area with no history of NAAQS violations.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	SIP Public Hearings and Submission of Plans	Proposal would amend regulations specifying requirements for SIPs. Modifies when state agencies are required to hold public hearings, the number of hard copies of SIP submissions required to be submitted to the Regional office, and the administrative portion of the completeness criteria for plan submissions.	40 CFR Parts 51 and 52 72 FR 11307	Comments due 04/12/2007	N/A No impact. This rule applies to state regulatory agencies making changes to their SIPs. Agencies will not have to hold a public hearing unless one is requested during the public comment process.
Air Emissions Management	United States Proposes Earlier End to Use of Refrigerant under Montreal Protocol	The United States submitted a proposal on 14 March 2007 to accelerate the phase-out of certain ODSs under the Montreal Protocol ("Protocol"). Under the Protocol's first stage, chlorofluorocarbons (CFCs) were phased out in developed countries by 1996. The Protocol is now entering its second stage, which aims to phase out hydrochlorofluorocarbons (HCFCs) by 2030 for developed countries and by 2040 for developing countries. The proposal would speed up the phase-out of HCFCs. The proposal includes four elements that can be considered individually or as a package: • Accelerating the phase-out date of HCFCs by 10 years; • Adding interim reduction steps;		The United States wants to move the baseline date for developing countries from 2015 to 2010 and to complete the HCFC phase-out in 2030 instead of 2040. Industrialized countries would have to complete a phase-out of HCFCs by 2020, also 10 years ahead of schedule.	H This rule will affect the availability of solvents and refrigerants containing ODSs.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management (continued)	United States Proposes Earlier End to Use of Refrigerant under Montreal Protocol (continued)	(continued) • Setting an earlier baseline; and • Phasing out the HCFCs that are most damaging to the O_3 layer as the first priority.		(continued) This proposed schedule would bring international phase-out requirements closer into line with current United States requirements implemented under the CAA.	

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Materials Management	Pipeline and Hazardous Materials Safety Administration, DOT	Hazardous Materials Regulations (HMR): Transportation of Compressed Oxygen, Other Oxidizing Gases, and Chemical Oxygen Generators on Aircraft Amends the HMR to: • Require cylinders of compressed oxygen and other oxidizing gases and packages of chemical oxygen generators to be placed in an outer packaging that meets certain flame penetration and thermal resistance requirements when transported aboard an aircraft; • Revise the pressure relief device setting limit on cylinders of oxidizing gases transported aboard aircraft; • Limit the types of cylinders authorized for transporting compressed oxygen aboard aircraft; and • Convert most of the provisions of an oxygen generator approval into the HMR requirements.	49 CFR Parts 171, 172, 173, 175 and 178	Effective 10/01/2007; voluntary compliance is authorized as of 03/02/2007	M Will have the greatest impact on NASA's vendors that supply compressed gas cylinders to NASA Centers.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Materials Management	Significant New Use Rules (SNUR): Perfluorinated Polymers	Possible space vehicle materials impacts. Rule would require manufacturers to notify EPA of any new materials or significant uses of perfluorinated polymers including those containing perfluoroalkyl sulfonates (PFAS); perfluoroalkyl carboxylates ; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.	71 FR 11483	NPRM 3/7/2006 Final 12/2007	L Would impact manufacturers of perfluorinated polymers, not potential NASA user.
Hazardous Materials Management	Drug Enforcement Agency (DEA): Iodine	Possible space vehicle materials impacts. The DEA is proposing to change the way iodine and its mixtures are regulated due to its uses related to illicit drug manufacturing. The rule would require additional controls and facility licensing for purchase, transport, and storage of iodine and mixtures containing more than 2.2 percent iodine. The space suits and International Space Station use such products for water disinfection and could have supply chain impacts in the future.	71 FR 46144	NPRM 8/11/2006 Final Action 4/2007	L Users of regulated iodine chemicals will have to register with the DEA.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Materials Management	SNUR: PFAS	Possible space vehicle materials impacts. Rule would limit or eliminate uses of PFAS, a family of chemicals used as additives, waterproofing agents, etc. The rule would effectively allow the use of PFAS chemicals only as components of aviation hydraulic fluids; photoresist substances; anti-reflective coatings; coatings for surface tension, static discharge, and adhesion control related to imaging applications; or as a chemical intermediate. Space Shuttle Program Orbiter tile waterproofing materials were previously incorporated a PFAS additive, but have been replaced. It is unknown whether regulating additional PFAS-related chemicals would affect other operational materials.	71 FR 12311	NPRM 3/10/2006 Final 5/2007	L PFAS chemicals have been replaced in Orbiter tiles.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Materials Management	Draft Toxicological Review of 1,1,1-Trichloroethane: In Support of the Summary Information in the Integrated Risk System (IRIS)	Announces a public comment period and peer-review workshop to review the external review draft document titled, Toxicological Review of 1,1,1-Trichloroethane: In Support of Summary IRIS (National Center for Environmental Assessment [NCEA]-S-1606). The report is available via the Internet on the NCEA home page under the Recent Additions and the Data and Publications menus at http://www.epa.gov/ncea. 1,1,1-Trichloroethane, also called "TCA" or "methyl chloroform," is a critical material used in solid rocket motor manufacturing and for SSP Orbiter tile application processes. Programs that use TCA may be interested in reviewing this toxicological report.	72 FR 8728	Comments due 04/13/2007	M Provides a detailed discussion of the toxicokinetics of TCA. Concludes that the current TCA database provides inadequate information to assess carcinogenic potential. NASA Centers that use TCA may be interested in taking a more detailed review of this study.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Materials Management	Notice of Availability of the Framework for Metals Risk Assessment	Announces the availability of the final "Framework for Metals Risk Assessment" (EPA 120/R-07/001, 03/2007). The purpose of the framework is to present key guiding principles based on the unique attributes of metals (as differentiated from organic and organometallic compounds) and to describe how these metals' specific attributes and principles may then be applied in the context of existing EPA risk assessment guidance and practices. Topics addressed in the framework include principles for conducting metals risk assessments; environmental chemistry and fate and transport; and assessments related to human health, aquatic life, and land issues. The framework is not a mandate about how a particular program must conduct its assessments, but is a set of key guidelines and principles to be used in preparing such assessments.	72 FR 10529		L Only a set of guidelines and principles. No mandates

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Materials Management	Controlled Substance Act (CSA) DEA, U.S. Department of Justice Exemption of Chemical Mixtures	Finalizes exemption from the CSA recordkeeping and reporting requirements for domestic and import transactions in chemical mixtures that are regulated solely due to the presence of the List II solvent chemicals acetone, ethyl ether, 2-butanone, or toluene. Could facilitate purchase and transport of certain chemicals.	21 CFR Part 1310 72 FR 10925	Effective 03/12/2007	L Reduces the burden of regulations.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Waste Management	Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Draft Guidance for Munitions and Explosives of Concern Hazard Assessment	Announces the availability of the Draft Guidance for Munitions and Explosive of Concern Hazard Assessment for public comment. The Guidance supports a recommended method for evaluating explosive safety hazards at military munitions response sites. It also presents approaches to support the evaluation of the effects of removal and remedial actions under CERCLA regarding explosive hazards at munitions response sites. The Guidance provides a consistent methodology for evaluating risk at munitions response sites and how the munitions risk can be integrated into a CERCLA risk assessment.	72 FR 2685	Comments due 3/23/2007	L Reduces the burden of regulations.
Hazardous Waste Management	External Review Draft, Evaluating Ecological Risk to Invertebrate Receptors from Polycyclic Aromatic Hydrocarbons (PAHs) in Sediments at Hazardous Waste Sites	Announces public comment period for the draft document titled, Evaluating Ecological Risk to Invertebrate Receptors from PAHs in Sediments at Hazardous Waste Sites (EPA/600/R-06/162). The document is available on the NCEA's home page under the Recent Additions and Publications menus at: http://www.epa.gov/ncea.	72 FR 9522	Comments due 04/02/2007	L Reduces the burden of regulations.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Waste Management	Revision to the Definition of Solid Waste, Proposed Rule	EPA proposes revisions to the solid waste definition that would allow waste generators who reclaim useable materials from hazardous wastes on site or off site to be excluded from hazardous waste regulations, provided a limited set of requirements is met.	40 CFR 261	When finalized and authorized, states adopt it.	L Reduces the burden of regulations
Natural Resources Management	Draft National Coastal Condition Report III	Notice of availability for a 60-day public comment period on the draft National Coastal Condition Report III describing the condition of the nation's coastal waters. The draft report and additional information are available from EPA's Office of Water at: http://www.epa.gov/owow/oceans/nccr3/index.html.	72 FR 10752	Comments due 05/08/2007	L No direct impact on NASA.
Other Water, Fuels Management, Energy	Executive Order (EO) 13423: Strengthening Federal Environmental, Energy, and Transportation Management	This EO supersedes five prior EOs and includes requirements for vehicles, petroleum conservation, alternative fuel use, energy efficiency, greenhouse gases, renewable power, building performance, water conservation, procurement, pollution prevention, electronics management, and EMSs.	72 FR 3917	1/26/2007	H Many program areas will be impacted by EO 13423. Challenges exist in energy, water, and fleet management program areas.
Petroleum, Oils, and Lubricants	Alternative Fuel Transportation Program; Replacement Fuel Goal Modification Office of Energy Efficiency and Renewable Energy, Department of Energy (DOE)	Extends the EPAct 1992 goal of achieving a production capacity for replacement fuels sufficient to replace 30% of the projected U.S. motor fuel consumption ("Replacement Fuel Goal") from 2010 to 2030.	10 CFR Part 490 72 FR 12041	Effective 06/01/2007	L Provides calendar regulatory relief.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/N/A)
Solid Waste Management	EPA to Revise the Definition of Solid Waste	EPA issued a pre-publication of a new proposal to revise the definition of solid waste. The definition of solid waste is a direct element of the definition of hazardous waste. EPA received comments disagreeing with this approach and is incorporating the comments into the new proposal. The current proposal includes exclusions for the following: • Materials that are generated and reclaimed by the same generator; • Materials that are generated and transferred to another company for reclamation under specific conditions; and • Materials that EPA deems non-wastes through a case-by-case petition process. The proposal defines legitimate recycling activities to distinguish between those that are considered treatment or disposal activities. Legitimately recycled material must provide a useful contribution to the recycling process, and recycling must make a valuable new product.	68 FR 61558 72 FR 14172	Comments due to EPA by 5/25/2007	M Broadly speaking, this proposal would provide regulatory relief by broadening the set of recycling exclusions. There has been significant public comment from various industry groups regarding making the definition of recyclable materials consistent.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Solid Waste Management (continued)	EPA to Revise the Definition of Solid Waste (continued)	(continued) Centers affected by this rule include those that generate or recycle hazardous secondary materials currently regulated as Resource Conservation and Recovery Act (RCRA) Subtitle C hazardous wastes, including By-products, Residues, and Unreacted feedstocks. Examples include spent abrasive blast media or solvents.			
Toxic Substances Management	Toxic Substances Control Act (TSCA) Lead; Renovation, Repair, and Painting Program	Announces availability of two new studies in the rulemaking docket to reduce exposure to lead hazards created by renovation, repair, and painting activities that disturb lead-based paint (LBP), as follows: • Characterization of Dust Lead Levels after Renovation, Repair, and Painting Activities (conducted by EPA); and • Lead-Safe Work Practices Survey Project (conducted by the National Association of Home Builders). EPA will consider revisions to proposed work practice standards following review of these studies and consideration of public comment.	40 CFR Part 745 72 FR 12582	Comments are due 04/16/2007	M Likely to affect LBP-related abatement work practices for certified contractors that NASA may hire. Likely to require additional protective measures to be put in place prior to certain work taking place.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 to 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Toxic Substances Management	Notice of Availability of the Final Nanotechnology White Paper	Announces the availability of the final "Nanotechnology White Paper" (EPA/100/B-07/001, 02/07). The white paper provides the following: • Basic description of nanotechnology; • Why EPA is interested in it; • Potential environmental benefits of nanotechnology; • Risk assessment issues specific to nanotechnology; • Discussion of responsible development of nanotechnology; • EPA's statutory mandates; • Extensive review of research needs for both environmental applications and implications of nanotechnology; • Staff recommendations for addressing science issues and research needs and prioritized research needs within most risk assessment topic areas; and • EPA's Nanotechnology Research Framework The final document is available electronically at: http://www.epa.gov/osa/nanotech.htm NASA should be aware that incorporating nanomaterials into new vehicle designs could pose a low risk of materials obsolescence because of possible future regulatory restrictions.	72 FR 7435		L NASA is no stranger to nanotechnology – as evidenced by the successful commercialization of Emulsified Zero-Valent Iron technology. This nanotechnology was designed for the in-situ treatment of dense non-aqueous phase liquids. This white paper basically states that EPA has much work to do in the area of nanotechnology relating to risk assessment research and the end of life management of nanomaterials. EPA intends to continue its intra-Agency group coordination efforts.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Water Quality Management	Aquatic Life Ambient Freshwater Quality Criteria–Copper 2007 Revision	Announces the availability of the 2007 revised recommended aquatic life ambient freshwater quality criteria for copper. Copies of the criteria document entitled, "Aquatic Life Ambient Freshwater Quality Criteria–Copper 2007 Revision" (EPA-822-R-07-001) may be downloaded from EPA's website at: http://www.epa.gov/waterscience/criteria/copper/index.htm	72 FR 7983		L Section 304(a) of the (Clean Water Act) CWA requires EPA to develop and publish and, from time to time, revise, recommended ambient water quality criteria to accurately reflect the latest scientific knowledge. An EPA water criterion does not substitute for requirements of the CWA or EPA regulations, nor is an EPA criteria recommendation a regulation. It does not impose legally binding requirements on EPA, states, authorized tribes or the regulated community. States have discretion to adopt approaches that differ from EPA's water quality criteria recommendations on a case-by-case basis.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Water Quality Management	CWA: NWPs USACE, DoD Reissuance of Nationwide Permits	The USACE is reissuing all existing NWPs, general conditions, and definitions, with some modifications. The USACE also is issuing 6 new NWPs, 2 new general conditions, and 13 new definitions. Applicable to Section 404 permits required for future construction activities that potentially will affect wetlands or other bodies of water.	72 FR 11091	New and reissued NWPs will be effective 03/19/2007 and will expire 03/18/2012	M The USACE received a number of comments to its September 26, 2006 proposal regarding NWP. The USACE made a number of changes to the general conditions, and definitions to further clarify Section 404 permits, facilitate their administration, and strengthen environmental protection. There are Grandfather Provisions for those permittees that hold expiring NWPs. In accordance with 33 CFR 330.6(b), activities authorized by the current NWPs issued on January 15, 2002, that have commenced or are under contract to commence by March 18, 2007, will have until March 18, 2008, to complete the activity under the terms and conditions of the current NWPs.

Table 1-4. Upcoming Federal Regulations, 15 January 2007 through 23 March 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Water Quality Management	Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the CWA; National Primary Drinking Water Regulations; and National Secondary Drinking Water Regulations; Analysis and Sampling Procedures	Modifies the testing procedures approved for analysis and sampling under the CWA and Safe Drinking Water Act (SDWA). CWA falls into the following categories: • New vendor-developed methods and EPA and Voluntary Consensus Standards Bodies (VCSB) methods; • Updated versions of currently approved methods; • Revisions to method modification and analytical requirements • Withdrawal of certain outdated methods; and • Changes to sample collection, preservation, and holding time requirements. SDWA changes include the following: • Approval of vendor-developed methods and new EPA and VCSB methods; • Updated VCSB methods; and • Approval of a modification to the test kit used with Syngenta Method AG-625.	40 CFR Parts 122, 136, 141, 143, 430, 455, and 465 72 FR 11199	Effective 04/11/2007. For judicial review purposes, promulgated 03/26/2007	H This definitely will have an impact on all NASA Centers that 1) must conduct monitoring to comply with NPDES permits; and 2) operators of community and non-transient non-community water systems that are required to do drinking water sampling.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (L/M/H/NA)
Natural Resources Management	The NEPA–Collaboration Handbook	Invites comments on the proposed handbook, "Collaboration in NEPA–A Handbook for NEPA Practitioners" (available at http://www.NEPA.gov in the Current Developments section).		Comments are due 05/04/2007.	L - NASA HQ and/or individual installations should review the handbook.
Toxic Substances Management	Draft Toxicological Review of Nitrobenzene	Announces an external peer-review workshop to review the external review draft document titled, "Toxicological Review of Nitrobenzene: In Support of Summary Information in the Integrated Risk Information System (IRIS)."		Peer-review workshop 05/15/2007. Comments due 04/30/2007.	L - This is a review of a document.
Natural Resources Management	The National Environmental Policy Act and Environmental Management Systems	Announces the availability of guide titled, "Aligning National Environmental Policy Act Processes with Environmental Management Systems–A Guide for NEPA and EMS Practitioners." The guide was developed to assist federal agencies in aligning their NEPA processes with their Environmental Management Systems. The guide is available from CEQ on the NEPA website.			L - NASA HQ and/or individual installations should review the guide and seek to understand integration of NEPA and EMS.
Natural Resources Management	The National Environmental Policy Act and Environmental Management Systems	Announces the availability of guide titled, "Aligning National Environmental Policy Act Processes with Environmental Management Systems–A Guide for NEPA and EMS Practitioners." The guide was developed to assist federal agencies in aligning their NEPA processes with their Environmental Management Systems. The guide is available from CEQ on the NEPA website.			L - NASA HQ and/or individual installations should review the guide and seek to understand integration of NEPA and EMS.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/N/A)
Other Environmental Issues	Enhancing Environmental Outcomes from Audit Policy Disclosures through Tailored Incentives for New Owners	Requests comment on whether and to what extent EPA should consider offering incentives to encourage owners who purchase existing regulated facilities to discover, disclose, correct, and prevent the recurrence of environmental violations that occurred prior to their acquisition of the facility. Any incentives would be beyond those offered through the policy on "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations," commonly referred to as the "Audit Policy" (See 65 FR 19618). These incentives would be designed to enhance implementation of the Audit Policy and encourage its use in the new owner context. The Audit Policy would not be revised.		Comments are due on 07/13/2007.	L - NASA does not seem to be in a mode of purchasing additional land/facilities.
Other Environmental Issues	Draft EPA's 2007 Report on the Environment: Science Report	Announces public comment period for the draft document titled, "EPA's 2007 Report on the Environment: Science Report." The purpose is to compile the most reliable indicators currently available that help answer questions about trends in the environment and human health that EPA believes are of critical importance to its mission and to the national interest. Available on the National Center for Environmental Assessment's home page under the Recent Additions and the Data and Publications.		Comments are due on 06/25/2007.	L - This is a review of a document for public comment.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Natural Resources Management	Definition of "Disturb"– Final Environmental Assessment	Announces the availability of a Final Environmental Assessment evaluating the possible effects of defining "disturb" under the Bald and Golden Eagle Protection Act (Eagle Act), and a Finding of No Significant Impact for the preferred alternative.			L - Review the FONSI for understanding of any potential effects on the NASA mission.
Natural Resources Management	Fish and Wildlife Service, Interior Protection of Eagles; Definition of "Disturb"	Codifies a definition of "disturb" under the Eagle Act. The Eagle Act prohibits unregulated take of bald and golden eagles and provides a statutory definition of "take" that includes "disturb."	50 CFR Part 22	Effective on 07/05/2007.	L - Ensure whereabouts of eagle nests during construction activities.
Natural Resources Management	Definition of "Disturb"– Final Environmental Assessment	Announces the availability of a Final Environmental Assessment evaluating the possible effects of defining "disturb" under the Bald and Golden Eagle Protection Act (Eagle Act), and a Finding of No Significant Impact for the preferred alternative.			L - Review the FONSI for understanding of any potential effects on the NASA mission.
Natural Resources Management	Authorizations Under the Bald and Golden Eagle Protection Act for Take of Eagles	Proposes new permit regulations to authorize the take of bald and golden eagles under the Eagle Act in anticipation of possible delisting of the bald eagle from the List of Threatened and Endangered Wildlife.	50 CFR Parts 13 and 22	Comments are due 09/04/2007.	L - Relaxed protection favors construction activities and/or development; seek a blanket permit for facility.
Natural Resources Management	National Bald Eagle Management Guidelines	Announces that National Bald Eagle Management Guidelines are available. The guidelines provide a roadmap for landowners seeking to protect eagles while conducting activities on their property and are intended to help landowners avoid violating the Eagle Act.			L - Positive action; requires facility to become acquanted with guidelines.
Natural Resources Management	Fish and Wildlife Service, Interior Protection of Eagles; Definition of "Disturb"	Codifies a definition of "disturb" under the Eagle Act. The Eagle Act prohibits unregulated take of bald and golden eagles and provides a statutory definition of "take" that includes "disturb."	50 CFR Part 22	Effective on 07/05/2007.	L - Ensure whereabouts of eagle nests during construction activities.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Natural Resources Management	Authorizations Under the Bald and Golden Eagle Protection Act for Take of Eagles	Proposes new permit regulations to authorize the take of bald and golden eagles under the Eagle Act in anticipation of possible delisting of the bald eagle from the List of Threatened and Endangered Wildlife.	50 CFR Parts 13 and 22	Comments are due 09/04/2007.	L - Relaxed protection favors construction activities and/or development; seek a blanket permit for facility.
Natural Resources Management	National Bald Eagle Management Guidelines	Announces that National Bald Eagle Management Guidelines are available. The guidelines provide a roadmap for landowners seeking to protect eagles while conducting activities on their property and are intended to help landowners avoid violating the Eagle Act.			L - Positive action; requires facility to become acquanted with guidelines.
Hazardous Waste Management	Federal Management Regulation; FPMR Case 2003-101-1; FMR Case 2003-102-4, Disposition of Personal Property with Special Handling Requirements	Proposes to amend the FPMR by revising coverage on the hazardous and certain categories of personal property and moving it into the FMR addressing all types of property requiring special handling. Adds a cross-reference to direct readers to the coverage in the FMR. Subject matter of the sections addressed includes the following: -Disposal of items requiring demilitarization -Handling of property reported to GSA so as to preserve civilian utility as far as possible -Disposal of gold as a precious metal -Disposal of ATVs	41 CFR Parts 101-42, 101-45, and 102-40		M - Changes may affect procedures related to handling certain types of personal property.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Other Environmental Issues	Instructions for Implementing Executive Order 13423	Notice that the first set of instructions for implementing EO 13423, "Strengthening Federal Environmental, Energy, and Transportation Management" (72 FR 3917) were issued 03/30/2007. Defines requirements for Federal agencies implementing EO 13423 and broad strategies for achieving them. EO 13423 also reinforces the requirement for more widespread use of environmental management systems to manage and continually improve these sustainable practices. The instructions and further information are available on the FedCenter Environmental Compliance website.		Effective 3/29/2007.	L - EO 13423 requires Federal agencies to implement sustainable practices for energy efficiency, use of renewable energy, water conservation, green procurement, recycling, solid waste diversion, sustainable design, and vehicle fleet management. EO 13423 instructions defines agency requirements and defines broad strategies for acheiving them.
Natural Resources Mangement	Review of National Dredging Policy	Requests comment on the National Dredging Policy and the National Dredging Team's 2003 Action Agenda for Dredged Material Management, which lays out recommended actions to guide the National Dredging Team and support implementation of the National Dredging Policy.		Comments due 08/06/2007.	L - This reg should have no impact on NASA facilities.
Natural Resources Management	Notice of Proposed Changes to the Natural Resources Conservation Service's National Handbook of Conservation Practices	Notice of intention to issue a series of new or revised conservation practice standards in the National Handbook of Conservation Practices. These standards include the following: -"Agrichemical Handling Facility (Code 309)" (new standard) -"Fence (Code 382)" (revised standard) These practices may be used in conservation systems that treat highly erodible land or on land determined to be a wetland.		Comments are due 08/08/2007.	L - Facility should become familiar with revised language concerning fencing in wetlands.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Manterials Management	Changes in the Regulation of Iodine Crystals and Chemical Mixtures Containing over 2.2 Percent Iodine	Changes the regulation of iodine under the chemical regulatory provisions of the CSA due to its uses related to illicit drug manufacturing. Key points of the rule include the following:-Moves iodine from List II to List I-Removes the iodine threshold (reduced from 0.4 kg to 0 kg)-Adds import and export regulatory controls-Controls chemical mixtures containing more than 2.2-percent iodine	21 CFR Parts 1309 and 1310	Effective on 08/01/2007. Facilities that must register should do so by 08/31/2007.	L - Facilities may need to review hazardous material inventories to determine if this will impact purchasing.
Air Emissions Management	Draft Revision of the NOAA Five-Year Research Plan	Announces the availability of the revised draft NOAA 5-Year Research Plan for 2007-2011 (available on the NOAA Research Council website). Supports the four mission goal areas identified in the NOAA Strategic Plan: -Ecosystems -Climate -Weather and Water -Commerce and Transportation		Comments due 07/18/2007.	L - This is a review of a document.
Air Emissions Management	National Emission Standards for Hazardous Air Pollutants (NEHSAP)	NESHAP for Area Sources: Acrylic and Modacrylic Fibers Production, Carbon Black Production, Chemical Manufacturing: Chromium Compounds, Flexible Polyurethane Foam Production and Fabrication, Lead Acid Battery Manufacturing, and Wood Preserving.	40 CFR 63, Subparts L, M, N, O, P, and Q	Comments are due 05/04/2007, unless a public hearing is requested by 04/16/2007. If a hearing is requested, written comments will be due 05/21/2007.	L - The rule addresses small (area) sources of hazardous air pollutants (HAPs). The six rules in this proposal apply primarily to area source facilities that produce the products or materials listed. These NESHAP rules have the potential to affect NASA or its vendors if they operate the listed processes.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	NESHAP - Residual RiskRisk and Technology Review, Phase II, Group 2	Requests public comment on HAP emissions and other model input data that EPA intends to use to assess residual risk from selected industrial major source categories. Data include HAP emission estimates and emission release parameters for 22 industrial source categories subject to 12 NESHAPs.	40 CFR 63	Comments due 05/29/2007.	M - Aerospace manufacturing and rework facilities are among the 22 industrial source categories being assessed for residual risk. Depending on the results of its assessment, EPA may require additional emission controls. EPA's assessment of the 21 other source categories may also affect NASA and/or its vendors.
Air Emissions Management	Protection of Stratospheric Ozone: Listing of Ozone Depleting Substitutes in Foam Blowing	Determines that the Class II ODSs HCFC 22 and HCFC 142b are unacceptable for use in the foam sector under the SNAP program. Amends a determination for one category of end-uses and takes the following actions for remaining applications: -Finds HCFC 22 and HCFC 142b unacceptable as substitutes for HCFC 141b in commercial refrigeration, sandwich panels, and slabstock and "other" rigid polyurethane foams and removes narrowed use limits previously established in those applications. -Finds HCFC 22 and HCFC 142b unacceptable as substitutes for CFCs in all foam end-uses. -Establishes a grandfathering period to allow existing users of HCFC 22 and HCFC 142b to complete the transition to alternatives (until 03/01/2008, 09/01/2009, or 01/01/2010, depending on foam end-use).	40 CFR Part 82	Effective date is 05/29/2007.	L - The impact of this SNAP change is low, provided NASA or vendors don't need to use HCFC 22 OR HCFC 142b beyond the grandfathering period.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (L/M/S/A)
Air Emissions Management	Clean Air Fine Particle Implementation Rule	Provides rules and guidance on the CAA requirements for state and tribal plans to implement the 1997 fine particle (PM2.5) NAAQS.	40 CFR Part 51	Effective 05/29/2007.	L - This rule requires states with PM2.5 non-attainment areas to submit implementation plans. NASA facilities located in PM2.5 non-attainment areas may be affected if SIPs require additional PM2.5 emission control.
Air Emissions Management	NESHAP: Surface Coating of Automobiles and Light-Duty Trucks; National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products	Amends provisions in the Automobiles and Light-Duty Trucks NESHAP to make certain clarifications, including clarifying the interaction between it and the NESHAP for Surface Coating of Plastic Parts and Products.	40 CFR Part 63	Comments are due 05/24/2007.	L - This rule clarification applies to plastic parts manufacturing facilities that apply topcoat to plastic automobile parts. NASA does not operate this process.
Air Emissions Management	NESHAP: Halogenated Solvent Cleaning	Promulgates revised standards to limit emissions of MC, TCE and PCE from facilities engaged in halogenated solvent cleaning. Will provide further emissions reductions beyond the NESHAP through application of a facility-wide total MC, PCE, and TCE emission standard.		Effective 05/03/2007.	L - This rule reduces emission limits for MC, TCE, and PCE from facilities engaged in halogenated solvent cleaning. However, emission limits are still several tons per year, and, therefore, should not impact NASA's operations.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	NESHAP Industrial, Commercial, and Institutional Boilers and Process Heaters; and Other Rules	Revisions to Definition of Cogeneration Unit in Clean Air Interstate Rule (CAIR), CAIR Federal Implementation Plan, Clean Air Mercury Rule (CAMR), and CAMR Proposed Federal Plan; Revision to National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters; and Technical Corrections to CAIR and Acid Rain Program Rules.	[40 CFR Parts 51, 60, 62, 63, 72, 78, 96, and 97]	Comments are due 06/11/2007.	L - This rule applies to coal-fired electric utility steam generating units. NASA does not operate these units.
Air Emissions Management	Transportation Conformity Rule Amendments to Implement Provisions Contained in the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)	Proposes to amend the transportation conformity rule to make it consistent with CAA Section 176(c). This proposal would change the regulations to reflect that the amended statute now provides more time for state and local governments to meet conformity requirements, provides a 1-year grace period before the consequences of not meeting certain conformity requirements apply, allows the option of shortening the timeframe conformity determinations, and streamlines other provisions. Includes other proposals not related to SAFETEA-LU, such as a proposal to allow the DOT to make categorical hot-spot findings for appropriate projects in CO areas.	40 CFR Parts 51 and 93	Comments are due 06/01/2007 .	L - This proposed rule addresses "transportation conformity". Conformity only applies in non-attainment or maintenance areas. NASA actions are sometimes subject to the "general conformity rule," but are rarely, if ever, are subject to the "transportation conformity rule".

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Significance (L/M/H/NA)
Air Emissions Management	U.S. Climate Action Report	An initial draft of the fourth U.S. Climate Action Report is available for public review. The report, required under the United Nations Framework Convention on Climate Change, contains the following: -Key activities conducted by the U.S. since the third report -Inventory of U.S. greenhouse gas emissions and sinks -Estimate of the effects of mitigation measures and policies on future emissions levels -Description of U.S. leadership and involvement in international programs -Discussion of U.S. national circumstances that affect U.S. vulnerability and responses to climate change -Information on the U.S. Climate Change Science Program and the U.S. Climate Change Technology Program -Information on U.S. efforts in systematic observations, including the U.S. Integrated Earth Observation System -Information on U.S. education, training, and outreach efforts		Comments are due 05/18/2007.	L - This notice announces an opportunity to comment on a U.S. Climate Action Report. It is not a rulemaking, so it has no identifiable impact to NASA.
Air Emissions Management	Office of Research and Development; Ambient Air Monitoring Reference and Equivalent Methods: Designation of a New Equivalent Method	Notice of designation of a new equivalent method for measuring concentrations of O_3 in the ambient air			L - This is an announcement of an alternative test method for measuring ambient air quality. It will not impact NASA's operations.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	Notice of Availability of the Draft Final Report: "Comparison of the Alternative Asbestos Control Method and the NESHAP Method for Demolition of Asbestos-Containing Buildings"	Announces public comment period and independent, external peer review for the draft Final Report for the AACM Demonstration Project. EPA conducted a controlled demonstration to evaluate the AACM alongside the current NESHAP method.		Comments are due on 06/11/2007.	L - EPA is seeking comments on an alternative asbestos control method. Eventually, this may lead to additional EPA-approved options for asbestos removal in the future.
Air Emissions Management	Prevention of Significant Deterioration and Nonattainment New Source Review: Emission Increases for Electric Generating Units	Supplement to EPA's previous proposal (70 FR 61081, 10/20/2005). In the previous proposal, EPA proposed three alternatives to revise the emissions test for certain existing electric generating units. This action modifies these proposed alternatives, proposes a new option, and includes supplemental information. Applies to fossil-fuel fired boilers and turbines serving an electric generator with a nameplate capacity greater than 25 MW producing electricity for sale.	40 CFR Parts 51 and 52	Comments due 07/09/2007 .	L - This supplemental proposal applies to fossil-fuel fired boilers and turbines serving an electric generator with a nameplate capacity greater than 25 MW producing electricity for sale. NASA does not operate these units.
Air Emissions Management	Revisions to Standards of Performance for New Stationary Sources, NESHAP, and NESHAP for Source Categories	Finalizes revisions to the General Provisions for Standards of Performance for New Stationary Sources, for NESHAP, and for NESHAP for Source Categories to allow for extensions to the deadline imposed for source owners and operators to conduct an initial or subsequent performance test required by applicable regulations in the event of a force majeure.	40 CFR Parts 60, 61, and 63	Effective 05/16/2007.	L - This rule is helpful. It extends performance testing deadlines in the event of a force majeure (such as a hurricane).

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Significant Impact (Y/N/TBD)
Air Emissions Management	Office of Research and Development; Ambient Air Monitoring Reference and Equivalent Methods: Designation of a New Equivalent Method	Designation of a new equivalent method for measuring concentrations of SO_2 in the ambient air using ultraviolet fluorescence.			L - EPA announced an alternative test method for measuring ambient air quality. The alternative method will not impact NASA's operations.
Air Emissions Management	NOAA U.S. Climate Change Science Program Synthesis and Assessment Product Draft Prospectus 4.2	Announces the availability of the draft Prospectus for one of the U.S. Climate Change Science Program Synthesis and Assessment Products for public comments. Addresses the following topic: -Product 4.2: Thresholds of Change in Ecosystems		Comments are due on 06/06/2007.	L - NOAA announced an opportunity to comment on the prospectus for the U.S. Climate Change Science Program (CCSP) Synthesis and Assessment Product (SAP). The announcement is not a rulemaking, so it has no identifiable impact on NASA's operations.
Air Emissions Management	Dioxin and Dioxin-like Compounds; Toxic Equivalency Information; Community Right-To-Know Toxic Chemical Release Reporting	Revises the reporting requirements for the dioxin and dioxin-like compounds category under Section 313 of the Emergency Planning and Community Right-to-Know Act. Requires that, in addition to reporting total gram quantities for the category, facilities are required to report the mass quantity of each individual member of the category. Also eliminates the reporting of the single generic distribution for the members of the dioxin and dioxin-like compounds category.	40 CFR Parts 9 and 372	Effective on 07/09/2007.	L - This rule applies to facilities that manufacture, process, or otherwise use dioxin and dioxin-like compounds. If NASA currently reports dioxin or dioxin-like compounds, it may need to revise its reporting procedures.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Supportive Impact (H/M/L/NA)
Air Emissions Management	Protection of Stratospheric Ozone: Listing of Substitutes for Ozone-Depleting Substances-n-Propyl Bromide in Solvent Cleaning	Lists n-propyl bromide as an acceptable substitute for methyl chloroform and CFC 113 in the solvent cleaning sector when used as a solvent in industrial equipment for metals cleaning, electronics cleaning, or precision cleaning.	40 CFR Part 82	Effective 07/30/2007.	L - This final rule approves the use of n-propyl bromide as an acceptable substitute for methyl chloroform and CFC-113 in industrial cleaning equipment (e.g., vapor degreasers). If NASA plans to substitute an ODS for methyl chloroform or CFC-113, it must avoid using any substitute that EPA has deemed to be unacceptable.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	Protection of Stratospheric Ozone: Listing of Substitutes for Ozone Depleting Substances–n-Propyl Bromide in Adhesives, Coatings, and Aerosols	Proposes to list n-propyl bromide as an unacceptable substitute for methyl chloroform, CFC 113, and HCFC 141b when used in adhesives or in aerosol solvents. Also proposes to list n-propyl bromide as acceptable, subject to use conditions, as a substitute for methyl chloroform, CFC 113, and HCFC 141b in the coatings end use in a limited number of facilities.	40 CFR Part 82	Comments are due 07/30/2007.	L - This proposal would list the use of n-propyl bromide as an unacceptable substitute for methyl chloroform, CFC-113, and HCFC 141b when used in adhesives or aerosol solvents. The proposal would also list n-propyl bromide as an acceptable substitute (with some use conditions) for methyl chloroform, CFC-113, and HCFC 141b when used in coatings at certain facilities. If NASA plans to substitute n-propyl bromide for methyl chloroform, CFC-113, or HCFC 141b, it would need to research acceptable and unacceptable substitutes.
Air Emissions Management	U.S. Climate Change Science Program, Department of StateClimate Change 2007: Synthesis Report	Requests expert review of the fourth and final volume of the IPCC Fourth Assessment Report, "Climate Change 2007: Synthesis Report." Three working group volumes and this synthesis report comprise the Fourth Assessment Report.		Comments are due 06/27/2007.	L - This is an announcement of an opportunity to comment on a climate change report. It is not a rulemaking, so it has no identifiable impact on NASA's operations.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Significance Impact (L/M/H/N)
Air Emissions Management	Ambient Air Monitoring Regulations: Correcting and Other Amendments	Amends the Ambient Air Monitoring Regulations for criteria pollutants, finalized 10/17/2006 (71 FR 61235), to correct errors, to improve clarity and consistency, and to make other administrative changes.	40 CFR Parts 53 and 58	Comments are due 07/12/2007. Effective on 09/10/2007.	L - This rule corrects errors and make minor administrative changes. It does not affect NASA's operations.
Air Emissions Management	Phase 2 of the Final Rule To Implement the 8-Hour Ozone National Ambient Air Quality Standard--Notice of Reconsideration	Final notice of reconsideration for several aspects of Phase 2 of the final rule to implement the 8-hour ozone NAAQS (70 FR 71611, 11/29/2005). Relates to NOx RACT for EGUs in CAIR states and to major source New Source Review criteria for Emission Reduction Credits from shutdowns and curtailments. Changes the deadline for states in the CAIR region to submit EGU NOx.	40 CFR Part 51	Effective on 07/09/2007.	L - This rulemaking applies to electric utility steam generating units and sources that generate emission reduction credits. NASA does not operate electric utility steam generating units. NASA is unlikely to generate emission reduction credits.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction Is Commenced After 08/17/1971; Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After 09/18/1978; Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units; and Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	Amends the NSPS for electric utility steam generating units and industrial-commercial-institutional steam generating units. Amendments will complete the following: -add compliance alternatives for owners and operators of certain affected sources -Revise certain recordkeeping and reporting requirements -Correct technical and editorial errors -Update the grammatical style of the four subparts to be more consistent across all of the subparts	40 CFR Part 60	Effective on 06/13/2007.	L - This rulemaking applies to electric utility steam generating units and industrial-commercial-institution steam generating units that are subject to continuous opacity monitoring system (COMS) requirements. NASA does not operate electric utility steam generating units. NASA does not operate sources subject to COMS requirements.
Air Emissions Management	Prevention of Significant Deterioration New Source Review: Refinement of Increment Modeling Procedures	Proposes to refine several aspects of this calculation method that may be used to determine compliance with PSD increments during preconstruction review and permitting of new and modified major stationary sources of air pollution located in attainment or "unclassifiable" areas. PSD increments specify the maximum extent to which the ambient concentration of certain pollutants may be allowed to increase above the legally defined baseline concentration in an area with clean air.	40 CFR Parts 51 and 52	Comments are due 08/06/2007.	L - This rulemaking applies to prevention of significant deterioration (PSD) permitting. NASA facilities are not subject to PSD permitting because their potential to emit is below PSD thresholds.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Significant Impact (H/M/L/NA)
Air Emissions Management	Pollution Control Projects and Clean Unit Provisions PSD and Nonattainment NSR: Removal of Vacated Elements	Amends regulations to eliminate the PCP and CU provisions included in the final rule, "PSD and Nonattainment NSR: Baseline Emissions Determination, Actual-to-future-actual Methodology, Plantwide Applicability Limitations, Clean Units, Pollution Control Projects".	40 CFR Parts 51 and 52	Effective on 06/13/2007.	L - This rulemaking removes regulations that were vacated on June 24, 2005 by the United States Court of Appeals for the District of Columbia Circuit from the CFR. It does not affect NASA operations.
Air Emissions Management	Requirements for Preparation, Adoption, and Submittal of Implementation Plans	Corrects 40 CFR 51 Appendix S to reinstate paragraph II.A.4(iii), concerning the inclusion of fugitive emissions when determining if a stationary source is a major stationary source.	40 CFR 51		L - This CFR correction does not change the rule, so it will not affect NASA's operations.
Air Emissions Management	Integrated Science Assessment for PM	Announces that EPA is preparing an Integrated Science Assessment as part of the review of the NAAQS for PM.		Information due 08/27/2007.	L - EPA is seeking technical information to support its review of the PM ambient air quality standard. The end result of this process may be a rulemaking. It is unlikely to impact NASA, but at this early stage, it is not possible to determine potential impacts.
Air Emissions Management	National Emission Standards for Hazardous Air Pollutants for Source Categories	Corrects the definition of "Organic HAP".	40 CFR 63.1103(e)(2)		L - This rulemaking is simply administrative housekeeping to add the definition of organic HAP. It does not affect NASA's operations.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	Protection of Stratospheric Ozone: Notice of Data Availability--Changes in HCFC Consumption and Emissions From the U.S. Proposed Adjustments for Accelerating the HCFC Phaseout	Makes available report "Changes in HCFC Consumption and Emissions from the U.S. Proposed Adjustments for Accelerating the HCFC Phaseout". Information gathered and presented in the report concerns the United States' proposal to adjust the HCFC phaseout schedule under the Montreal Protocol on Substances that Deplete the Ozone Layer. Accelerated phaseout could be accomplished through installation of new equipment to better control releases of HCFCs and a broader transition to alternatives. Report is posted on the EPA Ozone Depletion website.		Comments due 07/27/2007.	L - EPA is seeking comments on a report regarding early phaseout of some ozone depleting substances. This is not a rulemaking, so it is too early to determine the impact. If the report leads to accelerated phase out of HCFCs, it could impact NASA.
Air Emissions Management	National Ambient Air Quality Standards for Ozone	Proposes to revise the primary and secondary NAAQS for ozone and to make corresponding revisions in data handling conventions for ozone.	40 CFR Part 50	Comments are due 10/09/2007. Public hearings are scheduled 08/30/2007 (Philadelphia and Los Angeles) and 09/05/2007 (Atlanta, Chicago, and Houston).	M - EPA is proposing to reduce ambient ozone standards. If ozone standards are set at a more stringent level, more areas will be designated as non-attainment. NASA facilities may be impacted if their location is redesignated as non-attainment.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	Consumer and Commercial Products: Control Techniques Guidelines in Lieu of Regulations for Paper, Film, and Foil Coatings; Metal Furniture Coatings; and Large Appliance Coatings	Proposes Control Techniques Guidelines for reducing emissions of VOCs in ozone nonattainment areas from the following three product categories: -Paper, film, and foil coatings -Metal furniture coatings -Large appliance coatings Once finalized, these Control Techniques Guidelines will provide guidance to the states concerning EPA's recommendations for reasonably available control technology-level controls for these product categories.	40 CFR Part 59	Comments are due 08/24/2007.	L - This notice announces the availability of technical guidelines. These guidelines are advisory, and are intended to be a resource to states when crafting their regulations. NASA's operations are unlikely to be impacted by these particular guidelines.
Air Emissions Management	Agency Information Collection Activities, Proposed Collections; Toxic Chemical Release Reporting; Request for Comments on Proposed Renewals of Form R (EPA ICR No. 1363.15, OMB Control No. 2070-0093) and Form A Certification Statement (EPA ICR No. 1704.09	Announces that EPA plans to submit a request to OMB to renew the existing approved ICRs for the TRI reporting Form R and the Form A Certification Statement.		Comments are due 09/10/2007.	L - EPA is seeking comments on how to revise existing TRI reporting forms. Resulting changes are likely to be minor and would have a minor impact on NASA TRI reports.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Toxic Substances Management	Agency for Toxic Substances and Disease Registry	Announces intent to develop two interaction profiles. Document 1 is an interaction profile for: -Chlorinated dibenzo-p-dioxins -Polybrominated diphenyl ethers, and -Phthalates. Document 2 is an interaction profile for: -Pyrethroid pesticides -Organophosph		Comments are due 07/15/2007. Development of the interaction profiles will start 07/15/2007.	M/L - It is likely that Document 2 is of low environmental risk to NASA centers, because of the limited use of pyrthroid pesticides at the centers. However, a review of those NASA centers that are on the NPL would need to be performed in order to establish whether or not the three constituents within the Document 1 iteration profile are part of the already characterized contaminant streams.
Natural Resources Management	Endangered and Threatened Wildlife and Plants; Removing the Bald Eagle in the Lower 48 States from the List of Endangered and Threatened Wildlife	Removes the bald eagle in the lower 48 states of the U.S. from the Federal List of Endangered and Threatened Wildlife. The protections provided to the bald eagle under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act will continue to remain in place after the species is delisted.	50 CFR Part 17	Effective 08/08/2007.	L - Relaxed protection for bald eagles
Natural Resources Management	Endangered and Threatened Wildlife and Plants; Draft Post-delisting Monitoring Plan for the Bald Eagle (Haliaeetus leucocephalus) and Proposed Information Collection	Announces availability of the draft post-delisting monitoring plan for the bald eagle.		Comments are due 10/09/2007.	L - Installation should obtain a copy and familiarize itself with contents.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Natural Resources Management	Fish and Wildlife Service, Department of the InteriorMigratory Bird Permits; Removal of Migratory Birds from Buildings	Proposes to amend regulations governing migratory bird permitting to allow removal of migratory birds (other than federally listed threatened or endangered species, bald eagles, and golden eagles) from buildings in which the birds may pose a threat to themselves, to public health and safety, or to commercial interests without requiring a permit.	50 CFR Part 21	Comments are due 05/25/2007.	L - Should help with safety issues around launch pads, etc.
Hazardous Materials Management	Department of Transportation Advisory Guidance; Transportation of Batteries and Battery-powered Devices by Airline Passengers and Crew Members	Advisory regarding proper packing and handling of batteries and battery-powered devices when they are carried aboard aircraft. Federal regulations require that electrical storage batteries or battery-powered devices carried aboard passenger aircraft be properly packaged or protected to avoid short-circuiting or overheating. This advisory lists various measures for complying with the regulations and minimizing transportation risks.			L - Again, update training to include packaging requirements for shipping batteries aboard aircraft. Update procedures as needed.
Hazardous Materials Management	Department of Transportation Receipt of Petition for Rulemaking Classification of Polyurethane Foam and Certain Finished Products Containing Polyurethane Foam as Hazardous Materials	The PHMSA has received a petition from the National Association of State Fire Marshals requesting that polyurethane foam and certain finished products containing polyurethane foam be classified as hazardous materials in transportation in commerce. Such a change of classification could possibly affect shipping or storage requirements for products incorporating polyurethane foams.		Comments due 06/28/2007.	L - Identify processes/operations which contain or handle products with polyurethane foam. If the requirement is accepted then the requirements will also need to be included in procedures for the handling of materials containing polyurethane foam.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Materials Management	Department of Defense, General Services Administration, and NASA Federal Acquisition Regulation; FAR Case 2005-039, Use of Products Containing Recovered Materials In Service and Construction Contracts	The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) are proposing to amend the FAR to clarify language within the FAR on the use of products containing recovered materials, pursuant to RCRA, and EO 13101, "Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition." The Councils are aware that EO 13423, "Strengthening Federal Environmental, Energy, and Transportation Management," revoked EO 13101; however, EO 13101 is not eliminated from Subpart 23.4 under this rule, because other conforming changes will be required. A future FAR case will make the conforming changes as a result of EO 13423.	48 CFR Parts 12, 23, 42, and 52	Comments are due 07/02/2007.	L - This would be a P2 protocol item. NASA contracting will need to ensure that any necessary FAR clauses are added to contracts to meet this requirement.
Hazardous Materials Management	Pipeline and Hazardous Materials Safety AdministrationHazardous Materials: Revision and Reformatting of Requirements for the Authorization to Use International Transport Standards and Regulations	Amends the Hazardous Materials Regulations to revise and consolidate the requirements applicable to the use of the following International transport standards:- International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air-International Maritime Dangerous Goods Code-Transport Canada's Transportation of Dangerous Goods Regulations-International Atomic Energy Agency's Safety Standards Series: Regulations for the Safe Transport of Radioactive Material	49 CFR Parts 171, 172, 173, 175 and 176	Effective 10/01/2007.	L - May need to conduct additional training related to shipping documents for international transport of hazardous materials.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Materials Management	Pipeline and Hazardous Materials Safety Administration	Alerts owners and users of certain cylinders to potential safety problems and advises them to remove the cylinders from service. Recently, five 33-pound propane cylinders authorized under DOT-SP 13957 ruptured during storage at a facility in Miami, Florida. Requests information about any other failures or leakage of lading, involving all cylinders made under DOT-SP 13957, which include 10-pound, 20-pound, and 33-pound cylinders.			L - Determine if facilities have any liner-less fully wrapped fiberglass composite cylinders and remove from service.
Hazardous Materials Management	Review of Draft Risk Management Evaluations and Risk Profiles for Chemicals Proposed for Addition under the Stockholm Convention on Persistent Organic Pollutants	Requests comments on draft risk management evaluations and draft risk profiles being developed pursuant to the Stockholm Convention on POPs for certain chemicals that are being reviewed for possible addition to the Stockholm Convention's Annexes A, B, and C.			L - This would be an Occupational Health related requirement.
Hazardous Materials Management	Draft Toxicological Review of Bromobenzene: In Support of the Summary Information in the IRIS	Notice of public comment and external peer external peer-review workshop to review the external review draft document titled, "Toxicological Review of Bromobenzene: In Support of Summary Information on the Integrated Risk Information System (IRIS)".		Comments are due 08/14/2007.	L - This would be an Occupational Health related requirement.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Substantive Impact (L/M/H/NA)
Hazardous Materials Management	Agency for Toxic Substances and Disease Registry Development of Set 21 Toxicological Profiles	Announces the development of one new and six updated toxicological profiles of priority hazardous substances. The following toxicological profiles are now being developed: -Boron (CAS No. 7440-42-8), revised profile -Chlorine (CAS No. 7782-50-5), new profile -1,4-Dioxane (CAS No. 123-91-1), revised profile -Ethyl Benzene (CAS No. 100-41-4), revised profile -Ethylene Glycol (CAS No. 107-21-1), revised profile -Plutonium (CAS No. 7440-07-5), revised profile -Styrene (CAS No. 100-42-5), revised profile		Notice of availability of these draft profiles will be published in the FR on or about 10/17/2007.	L - This would be an Occupational Health related requirement.
Hazardous Materials Management	Lead; Renovation, Repair, and Painting Program	Proposes to add child-occupied facilities to the buildings covered by the 2006 proposed requirements (71 FR 1587) to reduce exposure to lead hazards created by renovation, repair, and painting activities that disturb lead-based paint in target housing. A child-occupied facility would be defined as a building, or a portion of a building, constructed prior to 1978, visited regularly by the same child, under 6 years of age, on at least two different days within any week (Sunday through Saturday period), provided that :-Each day's visit lasts at least 3 hours-The combined weekly visits last at least 6 hours-The combined annual visits last at least 60 hours	40 CFR Part 745	Comments are due 07/05/2007.	L - This would be a Toxics protocol issue. Also, do not believe that NASA has any "target housing" that would be applicable to this requirement.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Substantive Impact (H/M/L/NA)
Hazardous Materials Management	Security Requirements for Motor Carriers Transporting Hazardous Materials	Advises that the TSA has assumed the lead role from the PHMSA for rulemaking addressing the security of motor carrier shipments of hazardous materials. Withdraws the ANPRM issued by PHMSA on 07/16/2002 (67 FR 46622) and closes its rulemaking proceeding.	49 CFR 177		L - Applies to those locations that transport hazardous materials.
Hazardous Materials Management	Hazardous Materials: Revision of Requirements for Emergency Response Telephone Numbers	Proposes to amend the Hazardous Materials Regulations to clarify requirements governing emergency response information services provided by arrangement with hazardous materials offerors. Proposes to require that basic identifying information (offeror name or contract number) be included in the shipping papers. This information will link the emergency response service provider to the original shipper who arranged for the emergency response service in the event of a hazardous materials incident.	49 CFR Part 172	Comments are due 08/31/2007.	L - Ensure that emergency response information is provided on shipping documents. May incorporate into training program already provided for HM shipments.
Hazardous Waste Management	Revisions to the Definition of Solid Waste	Proposes to revise the definition of solid waste to exclude certain hazardous secondary materials from regulation under Subtitle C of RCRA. Also solicits comments on regulatory factors to be used to determine whether recycling of hazardous secondary materials is legitimate.	40 CFR Parts 260 and 261	Comments are due 05/25/2007..	L - This change would potentially lessen, rather than increase, applicable requirements.
Hazardous Waste Management	Expansion of RCRA Comparable Fuel Exclusion	Proposes to allow certain manufacturing waste to be safely burned for energy recovery in industrial boilers. Would expand the RCRA Hazardous Waste Comparable Fuels Exclusion to encompass a new category of liquid hazardous waste-derived fuel known as ECF.	40 CFR Part 261	Comments are due 08/14/2007.	L - This would potentially expand the types of wastes that can be used as fuel without holding a RCRA permit.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Change	Effective Date	Subjective Impact (L/M/C/S)
Hazardous Waste Management	Standards for Universal Waste Management	Reinstating the definition of "on-site".	40 CFR 273		L - This reinstates a definition.
Other Environmental Issues	Pollution Prevention through Nanotechnology Conference; Notice of Public Meeting	Announces a conference about using nanotechnology to develop new ways to prevent pollution. The goal is to help inform subsequent research and commercialization of nanotechnology and nanomaterials that promote pollution prevention in an environmentally responsible manner. The conference is focused on three major areas of pollution prevention:-Products–less toxic, less polluting, and wear resistant-Processes–more efficient and waste-reducing-Energy and resource efficiency–processes and products that use less energy and fewer raw materials because of greater efficiency.		The conference will be held 09/25/2007 through 09/26/2007. Registration is due 09/14/2007. Poster applications are due 07/31/2007.	L - This is the announcement of a conference.
Other Environmental Issues	Nanoscale Materials Stewardship Program; Notice of Public Meeting	Announces a public meeting on the development of a voluntary NMSP under TSCA. NMSP is a voluntary program intended to complement and support new and existing chemical programs under TSCA and will help provide a firmer scientific foundation for regulatory decisions by encouraging the development of key scientific information and appropriate risk management practices for nanoscale chemical substances ("nanoscale materials").		The meeting will be held 08/02/2007.	L - This is the announcement of a meeting.
Other Environmental Issues	NMSP and Inventory Status of Nanoscale Substances under the TSCA; NOA	Announces the availability of two draft documents for public review and comment: -"TSCA Inventory Status of Nanoscale Substances--General Approach" -"Concept Paper for the Nanoscale Materials Stewardship Program under TSCA."		Comments are due 09/10/2007.	L - This is a review of a document for public comment.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Substantive Impact (H/M/L/NA)
Petroleum, Oil, and Lubricants Management	Oil Pollution Prevention; Non-transportation Related Onshore and Offshore Facilities	Extends the dates by which facilities must prepare or amend and implement SPCC Plans. The deadline has been extended to provide facilities regulated under the SPCC Rule time to comply with revisions that EPA expects to propose later this year. The deadline has been extended from 10/31/2007 to 07/01/2009 for any facilities in operation on or before 07/1/2009. Facilities regulated under the SPCC Rule that begin operation after 07/01/2009 will be required to prepare and implement an SPCC Plan prior to beginning operation.	40 CFR Part 112	Effective on 05/16/2007.	L - EPA has provided a significant extension of regulatory deadline for fully implementing an SPCC to July 1, 2009.
Petroleum, Oil, and Lubricants Management	Landowner Defenses to Liability Under the Oil Pollution Act of 1990: Standards and Practices for Conducting All Appropriate Inquiries	Proposes to establish standards and practices concerning the "all appropriate inquiries" element of a defense to liability of an owner or operator of a facility that is the source of a discharge or substantial threat of discharge of oil into the navigable waters or adjoining shorelines or the exclusive economic zone.	33 CFR Part 137	Comments are due 09/10/2007.	L - All NASA centers were purchased decades ago; NASA not likley to invoke a defense of lack of knowledge of oil locations.
Water Quality Management	Drinking Water: Regulatory Determinations Regarding Contaminants on the Second Drinking Water Contaminant Candidate List–Preliminary Determinations	Proposes that national primary drinking water regulations are not appropriate for 11 contaminants considered for regulatory determinations:-Boron-Mono- and Di-Acid Degradates of DCPA-1,1-DDE-1,3-DCP; Telone-2,4- and 2,6-DNT-EPTC-Fonofos-Terbacil-1,1,2,2-TetrachloroethaneEPA has not made a preliminary determination for perchlorate, but this action provides an update on EPA's evaluation of perchlorate.	40 CFR Part 141	Comments are due 07/02/2007.	L - This determination is to limit controls of potential contaminants.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Solid Waste Management	Inspection Grant Guidelines for States; Solid Waste Disposal Act, Subtitle I, as Amended by Title XV, Subtitle B of the Energy Policy Act of 2005	Publishes in their entirety the inspection grant guidelines that were issued 04/24/2007. Implements Inspection provisions contained in Solid Waste Disposal Act. Will provide states that receive UST funds with specific requirements for their state UST programs.	72 FR 26359	Effective on 4/24/27007.	L - Requires states that receive Solid Waste Disposal Act Subtitle I funding to inspect all USTs by 8/8/07.
Solid Waste Management	Grant Guidelines for States Regarding State Compliance Reports on Government Underground Storage Tanks; Solid Waste Disposal Act, Subtitle I, as Amended by Title XV, Subtitle B of the Energy Policy Act of 2005	Provides the subject guidelines in their entirety.	72 FR 26367		L - Applies only to states that receive Solid Waste Disposal Act Subtitle I funding.
Toxic Substances Management	NTP; Office of Chemical Nomination and Selection; National Institute of Environmental Health Sciences; National Institutes of Health	This notice: 1) Provides brief background information and preliminary study recommendations regarding nine nominations for study by the NTP; 2) solicits public comment on the nominations and study recommendations; and 3) requests the submission of additional relevant information for consideration by the NTP in its continued review of these nominations.		Comments or information should be submitted by 05/10/2007.	L – Many of the nine chemiclas are of low importance to NASA operaations.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (L/M/N/A)
Toxic Substances Management	Commodity-Grade Mercury: Notice of Stakeholder Panel Process, Notice of Public Meeting, and Solicitation of Public Comment	EPA is establishing a stakeholder panel process to provide approaches for management of non-federal supplies of commodity-grade mercury. Comments are solicited regarding the issues the panel will address.		The stakeholder panel will hold a series of meetings, the first of which is scheduled for 05/08/2007, from 9 a.m. to 5 p.m., in Washington, DC. The dates of future meetings and additional information may be found at http://www.epa.gov/mercury/roadmap.htm.	L – Applicable to non-Federal supplies of mercury.
Toxic Substances Management	Significant New Use Rules on Certain Chemical Substances and Notification on Certain Substances for Which Significant New Use Rules are Not Being Issued	Promulgates SNURs for 65 chemical substances that were the subject of pre-manufacture notices (see the rule for further information). Requires persons who intend to manufacture, import, or process any of these 65 chemical substances for an activity that is designated as a significant new use by this rule to notify EPA at least 90 days before commencing that activity. Also provides notification on two substances for which EPA has decided not to issue SNURs at this time.	40 CFR Part 721	Comments due 04/30/2007. Effective 05/29/2007 if no adverse comments are received. Promulgated for purposes of judicial review on 04/12/2007.	M – URS recomends that NASA centers evaluate their incoming procured chemicals to see if any products have triggered SNUR notifications.

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Significant Impact (H/M/L/N/A)
Toxic Substances Management	TSCA Section 21 Petition on Nonylphenol and Nonylphenol Ethoxylates; Notice of Receipt	Announces that EPA has received and requests comments on a petition concerning NP and NPE. Petitioners request that EPA require manufacturers and importers to conduct specific health and safety studies, require labeling on all products containing NP and NPE and limit the use of NP and NPE in certain circumstances.		EPA will respond to the petition by 09/04/2007. Comments are due 07/25/2007.	N/A – Applies to manufacturers and importers of NP and NPE.
Water Quality Management	Guidelines Establishing Test Procedures for the Analysis of Pollutants; Analytical Methods for Biological Pollutants in Wastewater and Sewage Sludge	Modifies EPA guidelines that establish approved bacterial testing procedures for analysis and sampling under CWA. Includes approval for new methods for monitoring microbial pollutants in wastewater and sewage sludge, including EPA methods, vendor-developed methods, and methods developed by VCSBs, as well as updated versions of currently approved methods. Also includes a technical correction.	40 CFR Parts 136 and 503	Effective 04/25/2007; incorporation by reference approved 04/25/2007; approved for judicial review purposes 04/09/2007.	M - This regulation should make it easier (less costly and quicker) for NASA facilities to comply with regulations.
Water Quality Management	Reissuance of Nationwide Permits	Contains corrections to the final notice of issuance of NWPs (72 FR 11091, 03/12/2007). Includes changes to the preamble discussion of the term "discharge" and the definition of "discharge" in the rule; corrections to General Condition 27; and corrections to citation references.			M - This could have an impact on NASA facilities depending on the applicability of definition of "discharges".

Table 1-5. Upcoming Federal Regulations, 6 April 2007 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Water Quality Management	EPA and U.S. Army Corps of Engineers' Guidance Regarding Clean Water Act Jurisdiction after Rapanos	Issues guidance regarding CWA jurisdiction following the U.S. Supreme Court's decision in the consolidated cases Rapanos v. United States and Carabell v. United States ("Rapanos"). In the Rapanos case, the Court addressed where the federal government can apply the CWA, specifically by determining whether a wetland or tributary is a "water of the United States." Purpose of guidance is to ensure nationwide predictability, reliability, and consistency in identifying wetlands, streams, and rivers subject to the CWA.		Effective on 06/08/2007. Comments are due 12/05/2007.	H - This ruling will have an impact on most of the NASA facilities.
Water Quality Management	Development of CWA NPDES Permits for Discharges Incidental to the Normal Operation of Vessels	Provides early notification that EPA is in the process of developing NPDES permits for the discharge of pollutants incidental to the normal operation of vessels and is seeking comments.		Comments due 08/06/2007.	L - This regulation mostly applies to sea going vessels, which NASA does not maintain - that I know of.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Other Environmental Issues	Environmental Resource Permits	The existing rule requires the Department to inspect a permitted system upon receipt of the permittee's notice of completion of construction prior to converting to the operation phase. FDEP is proposing to change this so that the Department can authorize conversion to the operation phase with or without the Department's inspection.	Chapter 62–FDEP 343.110–Duration of Environmental Resource Permits		L - FDEP proposes to have the option of eliminating the FDEP inspection prior to conversion of the permit to operational status.
Natural Resources Management	Submerged Lands and Environmental Resources	Workshop to receive public comments on the revision of an existing environmental resource noticed general permit (in Rule 62-341.417, F.A.C.) regarding boat ramps.	Chapter 62–FDEP 341.417–General Permit for Construction, Alteration or Maintenance of Boat Ramps and Associated Accessory Docks		L - NASA does not have any boat ramps that I am aware of.
Other Environmental Issues	Environmental Regulation Commission Meeting	A regularly scheduled meeting of the Environmental Regulation Commission will be held for the purpose of rule adoptions and briefings. The agenda will be available before the meeting at: http://www.dep.state.fl.us/legal/ERC/.	Chapter 62–FDEP		L - FDEP will have regulary scheduled meetings.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	62-204.800 Federal Regulations adopted by Reference [Chapter 62- Department of Environmental Protection 204 - Air Pollution Control General Provisions]	Updates, through 9/30/2006, the Department's adoption-by-reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 Code of Federal Regulations (CFR) Parts 51, 60, 63, and 65. Specific Authority: 403.8055 FS. This includes New Source Performance Standards (NSPS) for stationary spark ignition (SI) internal combustion engines (ICE). The NSPS would regulate nitrogen oxides, carbon monoxide, and non-methane hydrocarbons from new, modified, and reconstructed stationary SI engines.	62-204.800	Effective on 1/31/2007.	L - This is an administrative change to state regulations adopting federal NSPS regulations with which facilities were already required to comply. This will have minimal impacts, if any, on NASA's operations.
Air Emissions Management	62-204.304 Designation of Attainment, Nonattainment, and Maintenance Areas [Chapter 62 - Department of Environmental Protection 204 – Section 340]	Amends Chapter 62-204, Florida Administrative Code (F.A.C.), to update the Department's adoption by reference of EPA regional haze regulations at 40 CFR Part 51. The update includes recent revisions to EPA's regulations related to Best Available Retrofit Technology (BART). Pursuant to the federal Clean Air Act, the Department is required to ensure that certain sources of visibility-impairing pollutants in Florida use BART to reduce the impact of their emissions on regional haze. The amendments are part of the Department's overall rulemaking project to implement the BART requirement.	62-204.340	Effective on 1/31/2007.	L - This rulemaking affects BART-eligible sources. NASA is not affected because it does not operate BART-eligible sources.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	Proposed Rule 62-204.800	The rule amendments update, through 12/31/2006, the adoption-by-reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 Code of Federal Regulations (CFR) Parts 52, 60, 63 and 96, as described below.		Comments due 3/16/2007.	L - This is an administrative change to state regulations adopting federal NSPS and NESHAP regulations with which facilities were already required to comply. This will have minimal impacts, if any, on NASA's operations.
Air Emissions Management	Gasoline Dispensing Vapor Control	Proposed amendments to Chapter 62-296, Florida Administrative Code (F.A.C.), to create new control technology requirements for bulk gasoline plants statewide. Proposed amendments to Chapter 62-252, F.A.C., to revise requirements for gasoline vapor control from gasoline-dispensing facilities. Proposal would apply the Stage I vapor recovery requirements statewide to new and upgraded gasoline-dispensing facilities, and phase in the Stage I vapor control requirements statewide for gasoline-dispensing facilities. Proposed amendments to Chapter 62-210, F.A.C., would clarify and update rules that address the requirements for bulk gasoline plants. The bulk gasoline plant permitting exemption is removed for new bulk gasoline plants. The requirements for operation under the bulk gasoline air general permit are amended to include submerged filling for existing plants, where currently required, and Stage I vapor recovery for new plants statewide. The Bulk Gasoline Plant Air General Permit Registration Form is amended to incorporate these changes.	Chapter 62 Department of Environmental Protection 296–Stationary Sources–Emission Standards; 252–Gasoline Dispensing Facilities; and 210–Air General Permits	Comments due 4/6/2007.	M - This proposed rule would require Stage I vapor recovery for new or upgraded bulk gasoline plants and gasoline-dispensing facilities. It would also eliminate the exemption for bulk gasoline plants with an average daily throughput of less than 2000 gallons, and it would phase out Stage II vapor recovery requirements for gasoline dispensing facilities. This rule would potentially impact NASA's gasoline storage and dispensing operations.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	Gasoline Dispensing Vapor Control	The Florida Department of Environmental Protection (FDEP) will hear comments on its proposal to submit to EPA, as a proposed revision to Florida's State Implementation Plan (SIP) under the Clean Air Act (CAA), a set of amendments to Chapters 62-252, 62-210, and 62-296, F.A.C. The proposed rule amendments, if adopted by FDEP, relate to air pollution regulatory requirements statewide for gasoline-dispensing facilities, bulk gasoline plants, and tanker trucks and trailers.	Chapter 62 Department of Environmental Protection 296–Stationary Sources–Emission Standards; 252–Gasoline Dispensing Facilities; and 210–Air General Permits	Workshop held 4/6/2007.	L - This is simply an announcement of a workshop regarding the above vapor recovery rules. It is not a rulemaking, so it does not impact NASA's operations.
Air Emissions Management	General Provisions	The Division of Air Resource Management announces a hearing on Rule 62-204.800, Federal Regulations Adopted by Reference, F.A.C. The FDEP will hear comments on its proposal to submit to EPA, as a proposed revision to Florida's Section 111(d) state plan for large municipal waste combustors, amendments to Rule 62-204.800, F.A.C. The proposed amendments to Rule 62-204.800, F.A.C., if adopted, incorporate the 05/10/2006 federal changes to the "Emission Guidelines for Large Municipal Waste Combustors."	Chapter 62–FDEP 204–Air Pollution Control General Provisions	Workshop held 4/27/2007.	L - This is an announcement of a workshop regarding the proposed municipal waste combustor rules (below). It is not a rulemaking, so it does not impact NASA's operations.
Air Emissions Management	General Provisions	The proposed rulemaking involves amendments to Rule 62-204.800, F.A.C., to incorporate the 05/10/2006 federal changes to the air pollution regulatory requirements for large municipal waste combustors. EPA regulations at 40 CFR Part 60, Subparts Eb and Cb, are adopted and incorporated by reference, and existing rule language is updated accordingly.	Chapter 62–FDEP 204–Air Pollution Control General Provisions	Comments due 4/27/2007.	L - This proposed rule addresses large municipal waste combustors. NASA does not operation large municipal waste combustors, so it is not affected by the proposal.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	Emission Standards	State applicability of 40 CFR 96.141-143 Subpart EE, CAIR NOx Allowance Allocations, and 40 CFR 96.341-342 Subpart EEEE, CAIR NOx Ozone Season Allowance Allocations, of the CAIR as 62-296.470(3)(d) and 62-296.470(5)(d), respectively, has been modified in lieu of the original text within 40 CFR 96 Subparts EE and EEEE.-The number of control periods required for allowance allocation submittals were decreased.-Baseline heat input calculations will now include information between 2004 and the present and also will account for biomass burned during the reporting timeframe.-Calculations will be rounded using a rounding convention that results in the allocation of the precise number of allowances remaining in the new unit set-aside.-A separate compliance pool will be set up for 2009.-Early reduction credit request requirements were increased.	Chapter 62–FDEP 296–Stationary Sources–Emission Standards	Effective on 4/1/2007.	L - This rule applies to stationary, fossil-fuel-fired boilers or combustion turbines serving a generator with a nameplate capacity of more than 25 megawatts used to produce electricity for sate. NASA does not operate these units and is not affected.
Air Emissions Management	General Provisions	The rule amendments update, through 12/31/2006, the adoption-by-reference of air pollution regulations promulgated by EPA at 40 CFR Parts 52, 60, 63 and 96. SPECIFIC AUTHORITY: 403.8055 FS	Chapter 62–FDEP 204–Air Pollution Control General Provisions	Effective on 4/2/2007.	L - This is an administrative change to state regulations adopting federal regulations. This will have minimal impacts, if any, on NASA's operations.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	Definitions	The proposed rule development would amend definitions of certain terms used in the FDEP's air permitting program, consistent with recent revisions to EPA regulations. The definitions of "Major Stationary Source" and "Significant Emission Rate" have been modified to include nitrous oxides.	Chapter 62–FDEP 212.200 Definitions	Workshop held on 5/25/2007.	L - This is an announcement of a workshop regarding the proposed "Major Stationary Source" and "Significant Emission Rate" rulemaking (below). It is not a rulemaking, so it does not impact NASA's operations.
Air Emissions Management	PSD, PALs	The proposed rule development would amend the department's PSD air permitting rule consistent with recent revisions to EPA regulations. In addition, FDEP is proposing to clarify that, in providing for public participation in the PSD permitting process, applicable state administrative procedures are followed rather than federal procedures, and that, in applying the provisions of 40 CFR 52.21 cited from within the FDEP's PSD and PAL permitting rules, the term "Administrator" shall mean "Department."	Chapter 62–FDEP 212.400 PSD Chapter 62–FDEP 212.720 Actuals PALs	Workshop held on 5/25/2007.	L - This is an announcement of a workshop regarding the proposed administrative rule changes affecting prevention of significant deterioration (PSD) and Plantwide Applicability Limits (PAL) sources (below). It is not a rulemaking, so it does not impact NASA's operations.
Air Emissions Management	Definitions	The proposed rule development would amend definitions of certain terms used in the FDEP's air permitting program, consistent with recent revisions to EPA regulations. The definitions of "Major Stationary Source" and "Significant Emission Rate" have been modified to include nitrous oxides.	Chapter 62–FDEP 210.200–Definitions	Comments are due 06/15/2007.	M - This proposed rule requires that NOx be included in "Major Stationary Source" and "Significant Emission Rate" determinations. This rule may affect NASA's air permitting requirements.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management		The rule amendments update, through 05/31/2007, FDEP's adoption-by-reference of air pollution regulations promulgated by EPA at 40 CFR Parts 50, 51, 53, 58, 63 and 74.	Chapter 62–FDEP 204–Air Pollution Control General Provisions	Comments are due 06/15/2007.	L - This is an administrative change to state regulations adopting federal regulations. Most changes are regarding stack testing and ambient air monitoring, which are unlikely to affect NASA's operations.
Air Emissions Management	PSD, PALs	The proposed rule development would amend FDEP's PSD air permitting rule, consistent with recent revisions to EPA regulations. In addition, FDEP is proposing to clarify that, in providing for public participation in the PSD permitting process, applicable state administrative procedures are followed rather than federal procedures, and that, in applying the provisions of 40 CFR 52.21 cited from within FDEP's PSD and PAL permitting rules, the term "Administrator" shall mean "Department."	Chapter 62–FDEP 212.400 PSDChapter 62–FDEP 212.720 Actuals PALs	Comments are due 06/15/2007.	L - These rule changes are administrative, and only apply to source types that NASA does not typically operate (i.e. sources subject to prevention of significant deterioration [PSD] and Plantwide Applicability Limits [PALs]).
Air Emissions Management	Stationary Sources and Emission Sources	The proposed rule development involves amendments to Chapter 62-296, F.A.C., to implement the reasonable progress portion of the EPA's regional haze regulations. Pursuant to these regulations, FDEP is required to ensure that certain sources of visibility-impairing pollutants in Florida limit their emissions such that reasonable progress is made toward the goal of achieving natural visibility conditions in federal Class I areas. New Rule 62-296.341, F.A.C., would be created to set forth procedural requirements by which reasonable progress determinations will be made for affected sources.	Chapter 62–FDEP 296–Stationary Sources–Emission Standards	Draft rule language should be available by 06/06/2007.	L - This rule is in the early development stage, so it can't be evaluated. However, State regional haze rules are not likely to affect the source types typically operated by NASA.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	Stationary Sources, General Requirements, and Preconstruction Review	Pursuant to the public hearing requirements of 40 CFR 51.102, FDEP will hold a public hearing on its proposal to submit to EPA three proposed revisions to Florida's SIP under the federal CAA. One revision is a set of amendments to Rule Chapters 62-210, and 62-212, F.A.C., that, if adopted by FDEP, would update and clarify the FDEP's air permitting rules to be consistent with recent revisions to EPA regulations. Related to these rule amendments is a proposed SIP revision confirming that the FDEP is complying with the provisions of Section 110(a)(2)(D)(i) of the CAA with respect to its "prevention of significant deterioration" air permitting program and plans for implementing EPA's regional haze regulations.	Chapter 62–FDEP 210–Stationary Sources–General Requirements Chapter 62–FDEP 212–Stationary Sources–Preconstruction Review	Hearing held 6/22/2007.	L - This hearing announcement relates to the above regional haze rule. It is not a rulemaking, so it has no impact to NASA.
Air Emissions Management	Fees	The proposed rule development involves an amendment to Chapter 62-213, F.A.C., to increase the annual Title V emissions factor. Further information, when available, will be posted on the FDEP's website.	Chapter 62–FDEP 213–Operation Permits for Major Sources of Air Pollution	Workshop held 8/1/2007.	L - The state of Florida is proposing an annual emission fee increase for facilities subject to Title V operating permit requirements. This is in the early stages (public workshop). If NASA operates a Title V source in Florida, it may be subject to higher emission fees.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Air Emissions Management	General Provisions	The final rule updates, through 05/31/2007, the FDEP's adoption-by-reference of air pollution regulations promulgated by the EPA at 40 CFR Parts 50, 51, 53, 58, 63 and 74.	Chapter 62–FDEP 204–Air Pollution Control General Provisions	Effective on 7/2/07.	L - This is an administrative change to state regulations adopting federal regulations. This will have minimal impacts, if any, on NASA's operations.
Air Emissions Management	Regional Haze	This is the second rule development workshop to consider proposed amendments to Chapter 62-296, F.A.C. The proposed new rule section addresses air permitting and control technology requirements for sources subject to the reasonable progress portion of EPA's regional haze regulations.	Chapter 62–FDEP 296–Stationary Sources–Emission Standards	Workshop held 8/1/2007.	L - This rule is in the early development stage, so it can't be evaluated. However, regional haze rules are unlikely to impact the source types operated by NASA.
Air Emissions Management	Stationary Sources	Amends definitions of certain terms used in the FDEP's air permitting program, consistent with recent revisions to EPA regulations. The definitions of "Major Stationary Source" and "Significant Emission Rate" have been modified to include nitrous oxides.	Chapter 62–FDEP 210.200–Definitions	Effective on 07/16/2007.	M - This final rule requires that NOx be included in "Major Stationary Source" and "Significant Emission Rate" determinations. This rule may affect NASA's air permitting requirements.
Natural Resources Management	Endangered and Threatened Wildlife and Plants; Reclassification of the American Crocodile Distinct Population Segment in Florida from Endangered to Threatened [50 CFR Part 17]	Reclassifies the American crocodile (Crocodylus acutus) distinct vertebrate population segment (DPS) in Florida from endangered to threatened,. The endangered designation no longer correctly reflects the current status of this DPS due to a substantial improvement in the species' status. The American crocodile will remain protected as a threatened species. The status of the American crocodile throughout the remainder of its range will remain endangered.	72 FR 13027	Effective 04/19/2007.	L - Crocodile limited to southern parts of Florida; doesn't inhabit KSC.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Natural Resources Management	Notice of Availability of a Final Implementation Schedule for the South Florida Multi-Species Recovery Plan	Implementation schedule for the South Florida MSRP is available. The MSRP describes actions that may be necessary for conservation of a particular species, establishes criteria for reclassification from endangered to threatened status or removal from the list, and estimates the time and cost for implementing the needed recovery measures. The implementation schedule prioritizes the recovery tasks as described in the MSRP on a community level, and identifies the associated participating parties, time frames, and costs necessary to accomplish those tasks.			L - No NASA installations in southern Florida.
Natural Resources Management	Chapter 5E Department of Agriculture and Consumer Services 14–Division of Agricultural Environmental Services –Section 106 Entomology Pest Control Regulations	Proposed rule allows for secondary subterranean termite treatments on new construction that does not cover all areas specified on the pesticide label, provided that the primary treatment is applied to all areas specified on the label.	Chapter 5E Department of Agriculture and Consumer Services 14–Division of Agricultural Environmental Services – Section 106 Entomology Pest Control Regulations		L - This regulation should have minimal effect on NASA operations since most pest management is contracted.
Hazardous Waste Management	Chapter 62 Department of Environmental Protection 73–Hazardous Waste	Proposed change would incorporate by reference the changes made by the U.S. Environmental Protection Agency (EPA) between 07/01/05 and 06/30/06 to the federal hazardous waste regulations. The Florida Department of Environmental Protection (FDEP) must adopt changes that make state rules equivalent to and consistent with the existing federal regulations every year.	62-730.020 FL Adm. Weekly (FAW) 02/16/2007-Vol. No. 33/7		L - Several of the federal changes adopted will reduce rather than increase regulation (e.g., CRT recycling exemption, LDR notice modification).

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Hazardous Waste Management	Substantial Modifications	The rulemaking will fulfill a statutory requirement that the FDEP adopt criteria to determine whether any proposed change at certain hazardous waste facilities constitutes a "substantial modification." Section 403.7211, F.S., establishes specific siting requirements for permitted hazardous waste facilities that manage hazardous waste generated offsite, including federal facilities with hazardous waste permits. FDEP is prohibited from issuing a permit for the substantial modification of such facility unless the siting requirements are met. The statute defines substantial modification as "any physical change in, change in the operations of, or addition to a facility which could increase the potential offsite impact, or risk of impact, from a release at that facility; and any change in permit conditions which is reasonably expected to lead to greater potential impacts or risks of impacts, from a release at that facility," and directs FDEP to adopt criteria, by rule, to determine whether a facility has been substantially modified.	Chapter 62-FDEP 730 – Hazardous Waste		L - This only applies to permitted facilities that receive wastes from off-site and undergo a "substantial modification" of the facility.
Solid Waste Management	Grants Program	Workshop will address potential developments to grant programs for recycling, waste reduction, and solid waste management. For more information, see http://www.flrules.org/gateway/readFile.asp?sid=1&tid=3917653&type=2&file=62-716.100.htm.	Chapter 62 Department of Environmental Protection 716– Solid Waste Grants Program	Workshiop held Aprill 11, 2007.	L- Workshop took place in April. Watch for developments in Grant Program.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Solid Waste Management	Contaminated Site Cleanup Criteria	Workshops to provide training to the general public on RBCA in accordance with Chapter 62-780, F.A.C. Each 1½-day workshop will cover RBCA concepts from beginning to advanced in a format that shows the application of the rule to real-world situations. Course content is identical for both workshops.	Chapter 62–FDEP 780–Contaminated Site Cleanup Criteria		L - Public training workshops will be available.
Water Quality Management	Whole Effluent Toxicity Compliance Limits	FDEP is holding a workshop to discuss updates to its rules related to whole effluent toxicity testing. The rules affected include the acute and chronic toxicity definitions in Chapter 62-302 (Surface Water Standards), Florida Administrative Code (F.A.C.); new language specifying permit compliance limits for whole effluent toxicity testing in Chapter 62-4 (Permits), F.A.C.; and new language specifying whole effluent toxicity sampling and testing procedures in Chapter 62-620 (Wastewater Facility Activities and Permitting), F.A.C. The purpose of the proposed revisions and additions is to more closely match EPA's requirements for whole effluent toxicity testing and to clarify existing whole effluent toxicity test procedures.	Chapter 62 Department of Environmental Protection 302–Surface Water Standards; Chapter 62 Department of Environmental Protection 4–Permits; Chapter 62 Department of Environmental Protection 620–Wastewater Facility Activities and Permitting		M - This could have an affect on NASA depending on how the whole effluent toxicity is applied to discharges from NASA facilities.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Water Quality Management	Chapter 40C–Department of Environmental Protection 1.106–Interagency Agreements; Chapter 40C–Department of Environmental Protection 4.091–Publications Incorporated by Reference; Chapter 40C–Department of Environmental Protection 4.302–Additional Condition	The proposed rule will incorporate by reference an amended operating agreement between the St. Johns River Water Management District and the Florida Department of Environmental Protection (FDEP) regarding regulatory responsibilities under Part IV, Chapter 373, F.S. The operating agreement addresses the division of responsibilities between the two agencies for permitting, compliance, enforcement, and wetland determinations.	Proposed Rule 40C-1.106 Proposed Rule 40C-4.091 & 4.302		M - This is a delegation of enforcement responsibility, it could have an impact if the agency that is finally delegated the authority has a strong enforcement record.
Water Quality Management	Reuse of Reclaimed Water	Rule development workshop to ensure consistency with statutory requirements in Section 403.064, F.S., related to the linkage between reuse requirements in consumptive use permits and FDEP permits. This workshop will address elimination of outdated rule references or requirements and clarification and refinement of the reuse rules.	Chapter 62 Department of Environmental Protection 610–Reuse of Reclaimed Water		M - These changes could make it easier for the NASA facilities to comply.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Water Quality Management	Total Maximum Daily Loads	The Lower St. Johns River (LSJR) TMDL Technical Working Group will continue working on development of a draft Basin Management Action Plan (BMAP) for presentation to the LSJR TMDL Executive Committee. Topics to be discussed include the status of the BMAP project collection process for non-point sources and Municipal Separate Storm Sewer Systems (MS4s), review of FDEP's authority to require reductions beyond the maximum extent practicable, use of location factors for water quality credit trading, use of credits generated by state funds, and results of the most recent TMDL modeling.	Chapter 62 Department of Environmental Protection 304– Total Maximum Daily Loads		H - This regulation could be very challenging for NASA if the interpretations of TMDLs don't go their way.
Water Quality Management	Identification of Impaired Sources	Workshop will address potential rule revisions to the assessment methodology for impairment due to elevated fecal coliform levels. Potential changes include how individual samples are assessed under the binomial method, how many exceedances of the monthly average criteria are needed to list waters as impaired, and how samples are assessed for representativeness.	Chapter 62– FDEP 303– Identification of Impaired Surface Waters		H - This regulation could be very challenging for NASA depending on the methods of data analyses chosen.
Water Quality Management	Delegations	Addresses the Operating Agreements among FDEP and the Suwannee River, St. Johns River, Southwest Florida, and South Florida Water Management Districts (Districts), which provide a division of responsibility between FDEP and each water management District regarding permitting, compliance, and enforcement.	Chapter 62– FDEP 113– Delegations		M - This is a delegation of enforcement responsibility, it could have an impact if the agency that is finally delegated the authority has a strong enforcement record.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Water Quality Management	St. John's River Water Management District	Discussion of District business including regulatory and non-regulatory matters. Staff may recommend approval of external budget amendments that affect the adopted budget.	Chapter 40C–FDEP–St John's River Water Management District		L - This appears to be mostly a budget issue.
Wastewater Management	Treatment Plant Classification and Staffing	FDEP is establishing classification and staffing requirements for water distribution systems. Also, FDEP is making clarifications and changes to current classification and staffing requirements for water or domestic wastewater treatment plants.	Chapter 62–FDEP 699–Treatment Plant Classification and Staffing		H - This could have a significant impact on NASA facilities relative to the workforce needed to comply.
Wastewater Management	Wastewater Treatment Plant Operators	The proposed rule development would establish licensure requirements and procedures for water distribution system operators. Also, FDEP is making clarifications and changes to current licensure requirements and procedures for water or domestic wastewater	Chapter 62–FDEP 602–Water or Domestic Wastewater Treatment Plant Operators and Distribution System Operators		H - This could have a significant impact on NASA facilities relative to the workforce needed to comply.
Water Quality Management	St John's River Basin Management Action Plans	The following meetings are scheduled to address topics related to the St. John's River Basin Management Action Plan project.	Chapter 62–FDEP		L - Action is related to meeting, probably no impact on NASA

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Water Quality Management	Storm Water Permitting	FDEP, in coordination with the water management districts, proposes to develop a new Chapter 62-347, F.A.C., to develop updated storm water quality treatment design and performance standards that would apply to new systems. These design and performance standards would update the existing criteria and reflect new research regarding design and performance standards, and particularly today's understanding of the impact of nutrient discharges from surface water management systems on water quality. The goal of the rule is to provide storm water quality treatment design and performance standards that can be applied statewide. No draft proposal is available at this time.	Chapter 62–FDEP 347–Storm Water Permitting		H - This appears to place more restrictive controls on nutrient controls.
Water Quality Management	Surface Water	The proposed revisions change the assessment methodology for determining surface water quality impairment due to elevated fecal coliform levels. The proposed revisions are being adopted as changes to Florida's water quality standards. The proposed revisions also include a new delisting provision for waters listed for synthetic organics and pesticides.	Chapter 62–FDEP 303–Identification of Impaired Surface Waters	Comments are due 06/15/2007.	M - This regulation could have a high impact or no impact at all depending on the NASA location.
Water Quality Management	Environmental Resource Permits	Provides noticed general environmental resource permits for activities with minimal impacts to water resources. Addresses minor activities, and environmental restoration or enhancement under a general permit, and provides for changing the operating schedules for existing water control structures that are owned or operated by the FDEP or Water Management District when such changes are for environmental restoration or enhancement.	Chapter 62–FDEP 341–Noticed General Environmental Resource Permits		M - This could reduce the requirements for NASA, again depending on their activities.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Water Quality Management		The final rule will incorporate by reference an amended operating agreement between the St. Johns River Water Management District and FDEP regarding regulatory responsibilities under Part IV, Chapter 373, F.S. The operating agreement addresses the division of responsibilities between the two agencies for permitting, compliance, enforcement, and wetland determinations.	Chapter 40C-FDEP 1.106– Interagency Agreements; Chapter 40C-FDEP 4.091– Publications Incorporated by Reference; Chapter 40C-FDEP 4.302– Additional Conditions for Issuance of Permits		M - This is a delegation of enforcement responsibility, it could have an impact if the agency that is finally delegated the authority has a strong enforcement record.
Water Quality Management	Delegations	The Operating Agreements between FDEP and the Suwannee River, St. Johns River, Southwest Florida, and South Florida Water Management Districts (Districts) provide a division of responsibility between FDEP and each water management district (District) regarding permitting, compliance, and enforcement.	Chapter 62 - FDEP 113 – Delegations		M - This is a delegation of enforcement responsibility, it could have an impact if the agency that is finally delegated the authority has a strong enforcement record.
Water Quality Management	Groundwater	The FDEP is developing amendments to update contents and reporting requirements for ground water monitoring plans, and is making some procedural changes. This rule development addresses contents of the ground water monitoring plan, modifications to reporting requirements, references a FDEP Well Design and Construction Manual, and updates administrative procedures.	Chapter 62-FDEP 520 – Groundwater Classes, Standards, and Exemptions		H - This appears to increase the regulatory requirements which NASA must meet.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Water Quality Management	Groundwater	This chapter is being repealed and its provisions are being added to Chapter 62-520, F.A.C., along with other amendments to Chapter 62-520, F.A.C.	Chapter 62-FDEP 522 – Groundwater Permitting and Monitoring Requirements		L - This is an administrative numerical change in regulation citations.
Water Quality Management	Interagency Agreements	The final rule will incorporate by reference an amended operating agreement between the St. Johns River Water Management District and FDEP regarding regulatory responsibilities under Part IV, Chapter 373, F. S. The operating agreement addresses the division of responsibilities between the two agencies for permitting, compliance, enforcement, and for wetland determinations.	Chapter 40C-FDEP 1.106 – Interagency Agreements; Chapter 40C-FDEP 4.091 – Publications Incorporated by Reference; Chapter 40C-FDEP 4.302 – Additional Conditions for Issuance of Permits		M - This is a delegation of enforcement responsibility, it could have an impact if the agency that is finally delegated the authority has a strong enforcement record.
Water Quality Management	Permits	The existing rule requires the FDEP to inspect a permitted system upon receipt of the permittee's notice of completion of construction prior to converting to the operation phase. The proposed rule would allow FDEP to authorize conversion to the operation phase with or without FDEP's inspection.	Chapter 62 – FDEP 343 – Environmental Resource Permit Procedures		M - This regulation will actually make it easier for NASA to comply with regulations.

Table 1-6. Upcoming Florida Regulations, 16 August 2006 through 13 July 2007 (continued)

Media	Topic	Summary	Citation	Effective Date	Subjective Impact (H/M/L/NA)
Water Quality Management	Testing	FDEP is updating its rules related to whole effluent toxicity testing. The rules affected include the acute and chronic toxicity definitions in Chapter 62-302 (Surface Water Standards); new language specifying permit compliance limits for whole effluent toxicity testing in Chapter 62-4 (Permits); and new language specifying whole effluent toxicity sampling and testing procedures in Chapter 62-620 (Wastewater Facility Activities and Permitting). The purpose of the proposed revisions and additions is to more closely match EPA requirements for whole effluent toxicity testing, and to clarify existing whole effluent toxicity test procedures.	Chapter 62 – FDEP 302 – Surface Water Standards; FDEP 4 – Permits; FDEP 620 – Wastewater Facility Activities Permitting		L - This should not have any significant impact on NASA since they should already be complying with the federal regulations as well as the state rules.
Water Quality Management	St. John's Water Management District	The St. Johns River Water Management District will hold a public Projects and Land Committee Business meeting; the agenda is available at www.sjrwmd.com.	Chapter 40C – St. John's River Water Management District		L - This is a public meeting announcement.

1.6. Report Organization

The remainder of this report is organized as follows: Section 2.0 provides a description of KSC, which is the subject of this EFR. Sections 3.0 through 15.0 present the EFR results. Appendix A contains summary lists of the findings and observations, including title and category. Appendix B contains the documents reviewed, Appendix C lists the personnel interviewed, and Appendix D lists the sites surveyed.

2.0 John F. Kennedy Space Center Facility Description

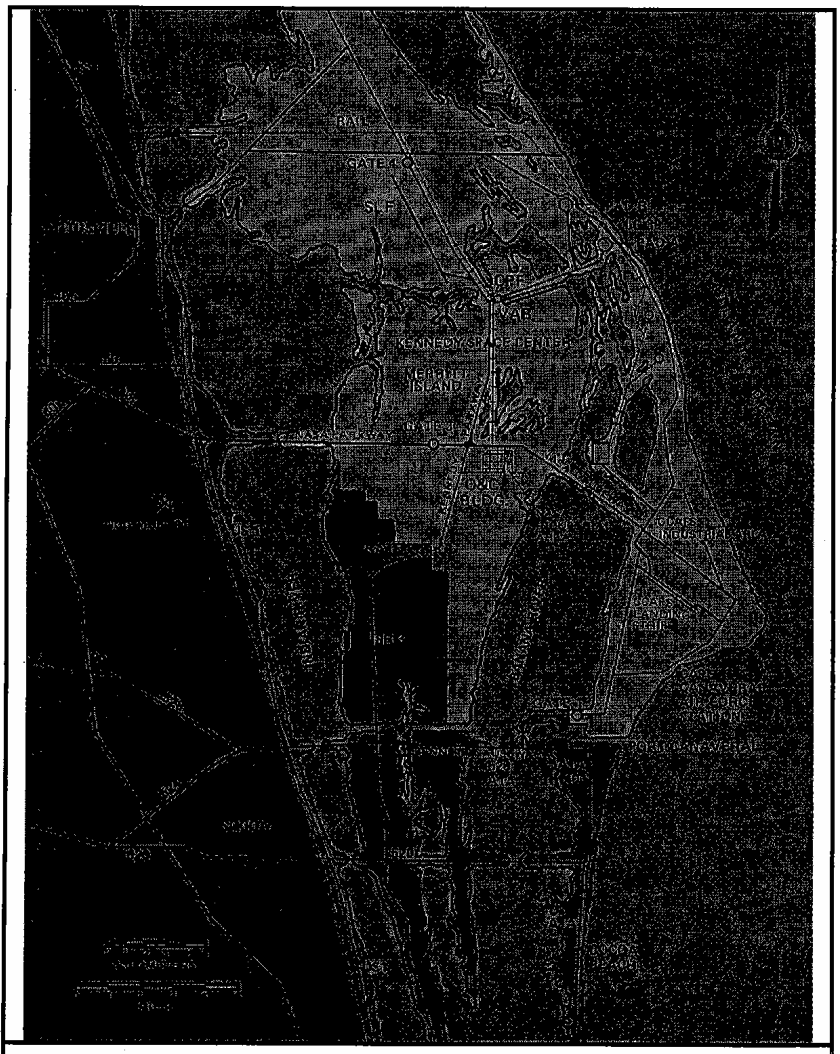
2.1. KSC Overview

KSC is located on the east-central coast of Florida, approximately 150 miles south of Jacksonville and 40 miles due east of Orlando. The Center lies on the north end of Merritt Island, adjacent to Cape Canaveral. KSC is the principal site for NASA space system launches. KSC property consists of approximately 140,000 acres; however, only a very small part of the total area of KSC has been developed or designated for NASA operational and industrial use. NASA entered into Interagency Agreements with the U.S. Fish and Wildlife Service (USFWS) in 1972 and later in 1975 to establish a wildlife preserve, known as the Merritt Island National Wildlife Refuge, within the boundaries of KSC. In addition, an agreement with the Department of the Interior (National Park Service [NPS]) caused most of the Canaveral National Seashore to fall within KSC boundaries. All KSC facilities are located on Merritt Island and Cape Canaveral, both of which are barrier islands. A KSC vicinity map is shown on Figure 2-1.

KSC is the major NASA Center for launch operations and related programs in support of manned space missions. NASA and its contractors maintain operational control over 6,507 of the 140,000 acres. Developed facilities within the KSC operational area are dominated by the Shuttle Landing Facility, the Industrial Area, the Vehicle Assembly Building (VAB) Area, and the Launch Complex 39 (LC-39) Pads A and B. It is home to approximately 11,000 engineers, scientists, and technical support people (approximately 1,800 NASA civil servants -- the remaining employees are NASA contractor staff) who work within a structure of directorates reporting to the Center Director. Activities and capabilities carried out at KSC include:

- Assembly, integration, checkout, and preflight preparation of space vehicles and their payloads;
- Design, development, validation, activation, operation, and maintenance of Ground Support Equipment and supporting hardware;
- Tracking and data acquisition;
- Launch operations for reusable manned space shuttle vehicles;
- Recovery and refurbishment of the Space Shuttle Solid Rocket Boosters (SRBs);
- Recovery and refurbishment of the Space Shuttle Orbiter;
- Logistics support for flight operations; and
- Design, construction, operation, and maintenance of launch and industrial facilities.

Figure 2-1. Kennedy Space Center Vicinity Map



L/nasa/kennedy/map.fh10 10/04

Figure 2-1. Kennedy Space Center Vicinity Map

2.2. KSC Work Force

Under the leadership of its director, KSC is managed by a system of directorates. One of these directorates is the Center Operations Directorate. The Center Operations Directorate is responsible for the overall management and direction of Center activities and functions associated with Facilities, Occupational Health, Medical Operations, Environmental Programs, Institutional Safety, Protective Services, and Operations Support. Figures 2-2 through 2-4 provide the details of the organizational structure of the Environmental Program Branch.

As mentioned previously, many of the staff at KSC are contractor staff. The largest contractor organizations are:

- United Space Alliance (USA) -- major duties include responsibility for launch and landing of the Space Shuttle. Responsible for maintenance of their own facilities;
- Boeing -- major duties include payload and Space Station hardware processing and checkout; and
- Space Gateway Support (SGS) -- major duties include responsibility for maintenance and operations of Base support functions.

Smaller contractors who were also included in the EFR interviews are:

- Delaware North -- major duties include operations of KSC's Visitor Center (Johnson Controls is a subcontractor to Delaware North for support functions);
- Dynamac -- as the Life Science Support Contractor, is responsible for biological and life science support; and
- Dynacs -- responsible for supporting NASA in engineering design and function checkout of new designs.

Figure 2-2. Kennedy Space Center Organization Chart

Executive Team

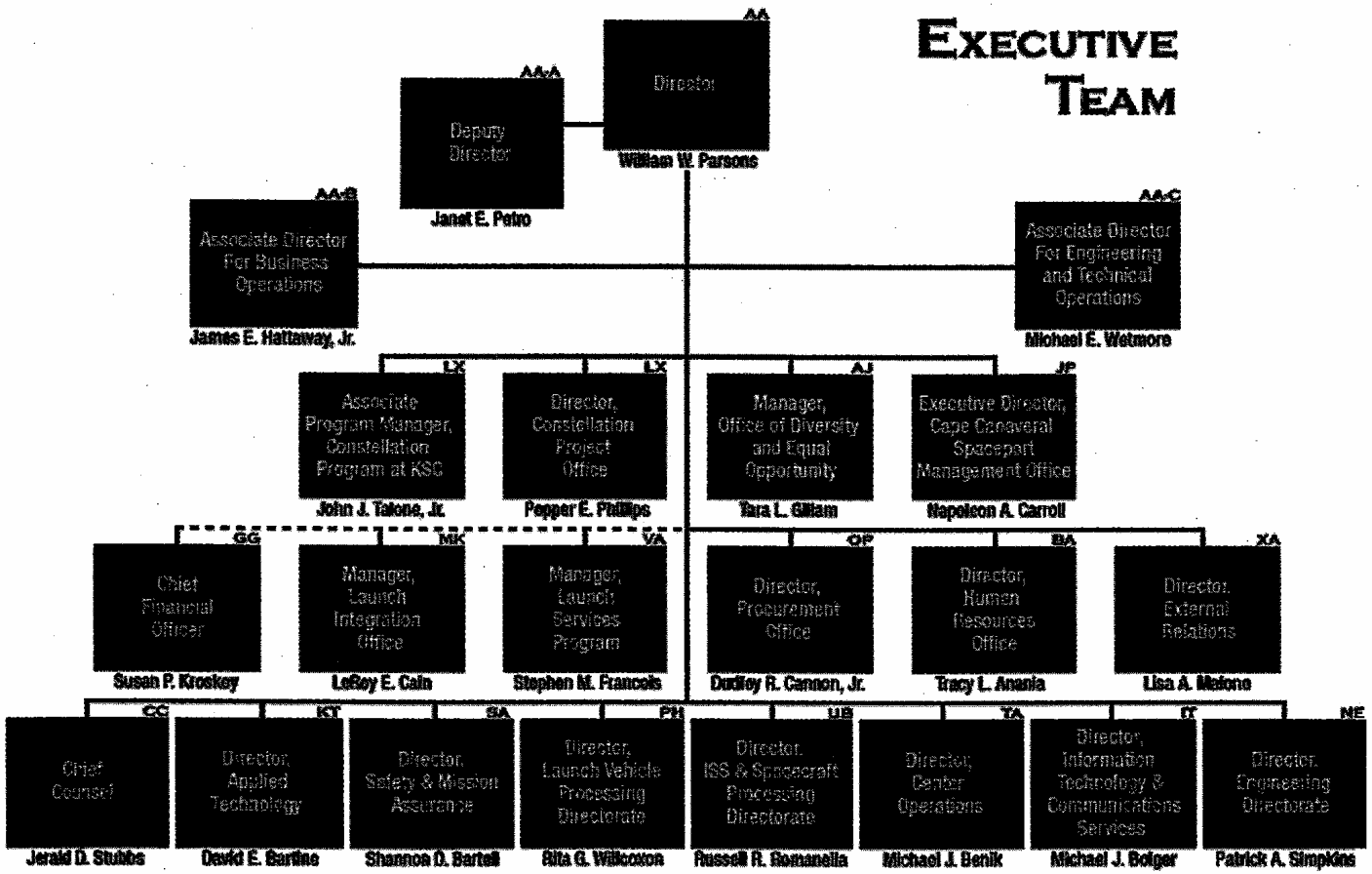
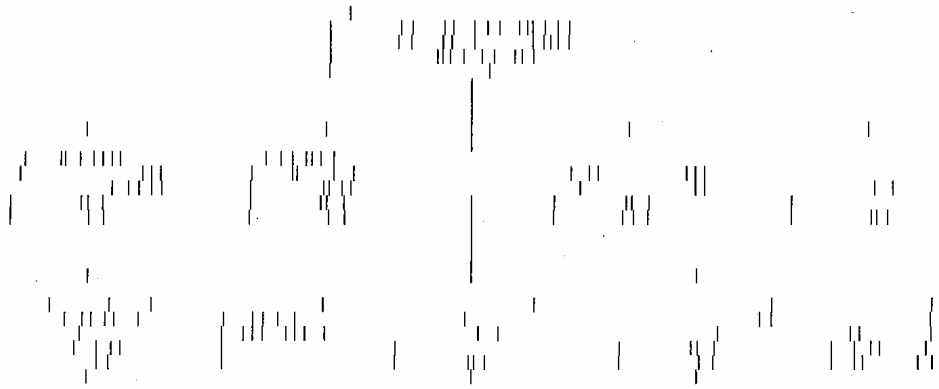


Figure 2-3. KSC Center Operations Directorate Organization Chart

Center Operations



EFR Findings Corrective Actions Worksheet

EFR Finding Number	Closed (Y/N)	Root Cause of Finding	Closed (Y/N)	Corrective Action	Closed Date	KSC Point of Contact and Phone Number
HWM-052/ Inadequate Training Documentation	N					Mike Kaminski (321) 449-4230
		Too difficult to match training received with training required on our training matrix	N			
HWM-059/ Open and Unlabeled Universal Waste	Y				12/8/2004	Mike Kaminski (321) 449-4230
		Open container of "HID" lamps in Facilities satellite site	Y	1. Remove "HID" tray in Facilities site as it does not conform to CFR, replace with closable box that is big enough to store the lamps	12/8/2004	
		Train all personnel who discard lamps to close spent lamp containers and label the containers with correct label and acc. start date	Y	1. Make a sign, detailing rules for storage of spent lamps- post it on fencing in front of Universal Waste area in Facilities satellite site	12/7/2004	
			Y	3. Install small holder at site with supply of "Universal Waste" stickers	12/7/2004	
HWM-061/ Metal Waste Residues Not Characterized	N					Mike Kaminski (321) 449-4230
		No hazardous sampling done on metal shavings, welding tips, etc. before throwing in trash	N			
HWM-069/ Missing HWDIP Label	N					Mike Kaminski (321) 449-4230
		????????????????????????????				
HWM-071/ Inconsistent Waste Labeling Procedures	N					Haz Waste Working Group
		Center-Wide finding on how to label Haz Waste containers		1. Corrective Action to be determined by KSC Haz Waste Working Group, no action required at this time		
POL-003/ Inadequate Completion of SPCC Training for Oil-Handling Personnel	N					Mike Kaminski (321) 449-4230
		We were missing oil-handler training for 6 individuals in Fleet Maintenance (we found the number to be 5)	Y	1. Training was completed on 11/5/04 for 3 of the individuals (Doyle, Henry, Booker)	11/5/2004	
			N	2. Complete training for remaining 2 employees (Pickel and Dublin)		

EFR Findings Corrective Actions Worksheet

EFR Finding Number	Closed (Y/N)	Brief Description of Write-up	Closed (Y/N)	Corrective Action	Close Date	Responsible Person
POL-006/ Inadequate Fail-Safe Feature on Used Oil Storage Tank	N					Mike Kaminski (321) 449-4230
		Broken level indicator gauge on used oil tank #3- must be replaced	Y	1. Request was made to tank vendor for new oil gauge on same day of finding (8/13/04). Gauge was replaced, and operational on 8/17/04, and reported to EPB and auditor.	8/17/2004	
		Recommend bowl-type fill ports at each tank inlet to ease clean-up of small spills when filling.	N	1. Have Angie order from vendor, or Mike order from env. supply catalog and have fleet personnel install		
		Attach NFPA diamond on end of all tanks facing roadway to describe hazard ratings for each tank	N	1. Check NFPA web-site for sign prices- order eight (8) or have Rick Marvin fabricate- install on tanks	In Progress	
STM-005/ Monitoring of Fuel Filling Operations Not Accomplished	N					Mike Kaminski (321) 449-4230
		Tank overfill gauges need to be monitored by JC personnel during diesel tank filling	Y	1. After discussion with Doug Younger and Pat Lynn, we will request filling be done during second shift when more employees are present. One Cleaner/Fueler will check gauges periodically (approx. every 15 minutes) during 1 1/2 hour fueling process	11/15/2004	
			Y	2. Mike/Angie revise Diesel Fuel Tank summary service description to reflect new tank filling procedures (provide copy to Mary Hammett)	11/26/2004	
			Y	3. Train Fleet Maintenance personnel on new filling procedures	11/29/2004	
		Haz Comm standards require haz warnings on tanks- recommended NFPA diamonds be posted on each tank with "No Smoking within 50 Feet" stenciled on tank or separate sign as needed	N	1. Check NFPA website for haz diamond pricing- order two (2) for diesel tanks, or have Rick Marvin fabricate- install on tanks facing roadway	In Progress	
			N	2. Stencil "No Smoking Within 50 Feet" on roadway side of tank or on concrete containment wall- possible to use separate sign on pole for this (investigate if warning must be posted on side of tank too)		
		Confirm enough light is present in tank area to see a spill in secondary containment structure during hours of darkness	Y	1. Replace street lamp above Landscape nursery blown out during hurricane (increased wattage?)	11/16/2004	
			N	2. Examine area during darkness to confirm light from nursery to west and light from Butler Building to east provide necessary lighting- increase wattage, re-aim lights, and/or add lighting if needed		
HMM-019/ Illegible Label	Y					Mike Kaminski (321) 449-4230
		Container was found with unreadable, faded label	Y	1. Properly label container of coil cleaner in the the acid cabinet	1/5/2005	

EFR Findings Corrective Actions Worksheet

EFR Finding Number	Closed (Y/N)	Finding Description / Write-up	Closed (Y/N)	Corrective Action	Close Date	POC Name and Phone Number
HMM-020/ Non-Functioning 3-Point Lock	N					Mike Kaminski (321) 449-4230
		Non-functioning 3-point lock on 2 flammable cabinets in the fenced-in supply area in Facility shop, and the Exhibit cabinet in POL building	N	Request work order from Facility Maintenance to repair, if repair is not possible, replace lock or entire cabinet as necessary	In Progress- WO#: 24009768	
HMM-021/ Incidental Storage of Flammable Liquids	N					Mike Kaminski (321) 449-4230
		POL building does not meet fire-resistance requirements for storage of flammable containers and materials	N	Rodney and Mike do inventory of flammable materials stored in POL building		
			N	After inventory, any flammable materials will be moved to a cabinet that is placed in the POL (extra one in propane storage area, or extra in Landscape shop?), or flammable materials will be distributed to existing flammable cabinets around property.		
			N	Post sign in POL instructing personnel to put flammable materials in the POL building into flammable cabinets?		

Johnson Controls EFR Findings Response 10/27/04

Finding Number: HWM-052 **Title: Inadequate Training Documentation**

The finding indicates that we have fulfilled all aspects required by the CFR cited. The matrix we have developed does have the necessary information to match position, employee filling said position, and what their training requirements are. We will work to clarify the matrix to more easily match job position (and employees filling those jobs) with the required initial and on-going training. However, since our records contained all aspects of the cited CFR and the finding only specifies that it was "difficult to match training documented with the training course specified as the required training course", we request that this finding be changed to a Best Management Practice.

Finding Number: HWM-069 **Title: Missing HWDIP Label**

The parts washer solution referenced in this finding is a new formula from our manufacturer. We have not, as yet, needed to send a spent parts washer waste sampling request forward as there is a small amount of solvent in the "Spent Solvent" waste container in the Landscape Satellite site. If a sampling has not been requested then an HDIP label is not required. We will be generating waste solvent in the Landscape Shop besides the parts wash cleaner and the "Spent Solvent" contents should not be sampled until the container is better utilized (more waste solvent is accumulated). Sampling will be done when the waste has accumulated sufficiently to dispose of or the period in the site approaches six months. The cleaning product in the solvent drum has an MSDS and is not waste and should not have an HDIP label on it. Clarification is requested on this finding, as it is not clear why an HDIP label should be affixed if sampling has not been requested.

Finding Number: HWM-071 **Title: Inconsistent Waste Labeling Procedures**

As we were cited in the Center-wide finding as using only half of the required "Hazardous Waste" label, we did want to clarify one point. In our 90-Day Site, we do use the full, required Hazardous Waste label that includes the accumulation start date. In the case of our satellite sites, where the accumulation start date is not applicable, we do use only half of the specified label. Following KHB 8800.1, the KSC Waste Management Handbook, we meet the labeling requirements specified on pages 2-10 and 2-11, which requires only that the containers be labeled "Hazardous Waste" using label WM6. Any material in the satellite sites that is transferred to a 90-Day Site is then affixed with a full WM6 label with the accumulation start date added.

Finding Number: POL-006 **Title: Inadequate Fail Safe Feature on Used Oil Storage Tank**

The corrective action was initiated the same day this finding was cited, and the corrective action was completed and confirmation provided to the auditor before he left KSC. We request the report indicate that corrective action has been completed.

Finding Number: STM-005 Title: Monitoring of Filling Operations not Accomplished

The delivery driver monitors the truck and the tanks for overflow during pumping, in addition to the gauges being checked both before and after filling begins.

State and KSC Regulators have examined these tanks without finding our safeguards deficient, and we have never had an overflow since the construction of the tanks. We do not want to make this job a two man operation, and we feel there is adequate safeguard in place to prevent an accidental over-filling of the storage tanks. We don't feel there is adequate justification for this observation, and request it be dropped as a Best Management Practice.

Finding Number:	HWM-024	Finding Date:	13-Aug-04
Finding Rating:	Regulatory	Finding History:	New

Finding Title:	Inadequate Contingency Plan
Finding Details:	40 CFR 262.34, referencing 40 CFR 265.52, requires that hazardous waste Contingency Plans include the name, home and office telephone numbers, and addresses of all personnel qualified to act as emergency coordinators. The Plans must address fires, explosions, and releases of hazardous wastes. Further, the Plans must summarize coordinating agreements with local community fire services and hospitals and describe arrangements with contractors who may be engaged to assist in response or cleanup. Throughout KSC, site-specific Plans were posted for 90-day storage areas. The Plans lacked the name, home and office telephone numbers, and addresses of all personnel qualified to act as emergency coordinators. The Plans identified the Fire Department and the local point of contact and his/her supervisor for the 90-day site. Site personnel indicated that the Fire Department had a list of emergency coordinators, but this information was neither identified in the site-specific Plans nor in the Consolidated, Comprehensive Site Emergency Response Plan. The individuals identified on the site-specific Plans did not appear to meet the description of "emergency coordinator" in 40 CFR 265.55. Furthermore, Plans did not describe coordinating agreements with local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services.
Facility Number:	Building M7-360A
Facility Name:	Boeing 90-Day Storage Site
Regulatory Citation:	40 CFR 262.34(a)(4) referencing 40 CFR 265.52(d) and 40 CFR 265.55
Other Criteria:	NA
Question Number:	HW.65.1.US
Source:	Federal Team Guide
Root Cause Explanation:	The existing plans were considered adequate because they provided the information the individual sites needed.
Violation Type:	Inadequate/Missing Plan
Finding ID:	90-day (180-Day for Small Quantity Generators) Accumulation Point
Suggested Solution:	Amend the overall Consolidated, Comprehensive Site Emergency Response Plan to address the issues identified in the finding for the Center as a whole. Make sure the site-specific Plans reference the Consolidated, Comprehensive Site Emergency Response Plan.

Each site needs contingency plans. Reference NASA's.

Finding Number:	HWM-071	Finding Date:	16-Aug-04
Finding Rating:	Management Practice	Finding History:	New

Finding Title:	Inconsistent Waste Labeling Procedures
Finding Details:	Although the KSC Waste Management Handbook specifies Center-wide procedures, each contractor implemented their own procedures, which sometimes differed from those specified in the Waste Management Handbook. For example, most Center personnel labeled hazardous waste with a yellow hazardous waste label; however, Biomedical Laboratory personnel labeled theirs as hazardous waste without the yellow label. Delaware North Park Service Johnson Controls personnel labeled their hazardous waste with the upper part of the hazardous waste label. Consistent procedure implementation would enhance perception of effective controls over hazardous waste at KSC.
Facility Number:	Center-wide
Facility Name:	NA
Regulatory Citation:	NA
Other Criteria:	NA
Question Number:	NA
Source:	NA
Root Cause Explanation:	NA
Violation Type:	Not Applicable
Finding ID:	Not Applicable
Suggested Solution:	Attempt to make KSC procedures contract requirements. In the future, consider making the actual KSC Waste Management Handbook as part of the actual contractual requirement for contractors.

Talk to wastetrackers

Finding Number:	HWM-073	Finding Date:	17-Aug-04
Finding Rating:	Management Practice	Finding History:	New

Finding Title:	Inadequate Re-evaluation Frequency
Finding Details:	Personnel re-submit Process Waste Questionnaire (PWQs) when processes change. However, processes may change in subtle ways, such as manufacturers' reformulation of materials used in the process, without the waste generator being aware of the change. Furthermore, waste evaluation processes and knowledge of the waste streams increase over time and may affect the way waste characterization personnel address the waste. KSC lacked a re-evaluation requirement to accommodate such changes.
Facility Number:	Center-wide
Facility Name:	NA
Regulatory Citation:	NA
Other Criteria:	NA
Question Number:	NA
Source:	NA
Root Cause Explanation:	NA
Violation Type:	Not Applicable
Finding ID:	Not Applicable
Suggested Solution:	Consider imposing a re-evaluation requirement to ensure that ongoing waste streams are periodically reviewed and validated whether or not the waste generator believes the waste-generating process has changed.

Already required.

Haycom program.

Finding Number:	POL-008	Finding Date:	17-Aug-04
Finding Rating:	Regulatory	Finding History:	New

Finding Title:	SPCC Implementation Plan Compliance Issues Still Open
Finding Details:	In December 2003, a Spill Prevention, Control, and Countermeasures (SPCC) Plan was developed for KSC. As part of the review of all POL facilities across the Center, an Implementation Plan was created that described specific outstanding SPCC compliance issues and the actions required to address these issues sorted by building number and responsible organization. Of the 67 separate compliance issues listed in the KSC SPCC Implementation Plan, approximately 32 items still remained open at the time of the Environmental Functional Review. Major issues remaining open include the following: - Inadequate SPCC training, - ~~Lack of integrity testing for bulk storage containers~~, - Lack of spill containment or diversion for fuel loading areas, - ~~Lack of spill containment or diversion for transformers~~, - ~~Lack of secondary containment for mobile fuel tankers~~, - ~~Lack or secondary containment for portable storage tanks~~, - ~~Lack of secondary containment for portable electric generators, and~~ - Lack of secondary containment and fail-safe devices for cooking oil containers.
Facility Number:	Center-wide
Facility Name:	NA
Regulatory Citation:	40 CFR 112.7
Other Criteria:	KSC SPCC Implementation Plan, December 2003
Question Number:	PO.5.2.US
Source:	Federal Team Guide
Root Cause Explanation:	The SPCC compliance issues identified were not completed due to the lack of adequate time, resources, funding, and priority within NASA and the respective Contractors. In addition, actions to correct several compliance issues have been placed on hold pending clarification of recent court settlements concerning the U.S. Environmental Protection Agency SPCC rules.
Violation Type:	Operational Practices
Finding ID:	Spill Plan Deficiency
Suggested Solution:	Complete all actions required for the compliance issues identified in the KSC SPCC Implementation Plan. Confirm and document all compliance issues that have been completed. Update the KSC SPCC Plan accordingly based on the actions conducted. All technical changes to the KSC SPCC Plan should be approved by a Professional Engineer prior to incorporation.

portable - what has secondary containment

Finding Number:	POL-015	Finding Date:	15-Aug-04
Finding Rating:	Management Practice	Finding History:	New

Finding Title:	Missing Coordination of POL Facility and Storage Tank Inspections with PM Work Orders
Finding Details:	Several facilities use a MAXIMO system to set up Preventive Maintenance (PM) work orders for the POL facility and storage tank inspections. Review of monthly inspection records throughout KSC revealed that all the required inspection tasks under the Spill Prevention, Control, and Countermeasure (SPCC) Plan are not always clearly described or included. In some instances, one is unable to identify which specific inspection tasks have been properly completed. In addition, many facilities have several overlapping inspection forms associated with storage tank management, including Monthly and Annual SPCC Plan inspections, Monthly and Annual State Regulated Tank inspections, and Annual ISO 9000 inspection requirements.
Facility Number:	Center-wide
Facility Name:	NA
Regulatory Citation:	NA
Other Criteria:	NA
Question Number:	NA
Source:	NA
Root Cause Explanation:	NA
Violation Type:	Not Applicable
Finding ID:	Not Applicable
Suggested Solution:	The existing Monthly Storage Tank, Container, and Secondary Containment Inspection Checklist, Table 4-3 and the Spill Prevention Checklist for 55-gallon Drums and Other Containers of Oil, Table 4-8 of the KSC SPCC Plan should be revised to incorporate the requirements of each of the applicable inspection programs at KSC to avoid unnecessary duplication of documentation and recordkeeping. The standardized forms should then be scanned and linked to the MAXIMO work order system so that the appropriate information can be downloaded and recorded at the scheduled time of inspection.

√ status MP2

may also be excluded from integrity testing since it is considered impractical and excessively expensive to test. The integrity testing requirements in the KSC SPCC Plan should be revised. The Professional Engineer should determine if any tanks at KSC will require non-destructive shell testing based on their age of service and best engineering judgment. In addition, ultrasonic testing is recommended over gas pressure testing due to safety concerns and the ability to obtain exact information on the tank wall thickness that can be compared to manufacturer specifications. All changes to the SPCC Plan should be approved by the Professional Engineer.

plan needs to be modified

Finding Number:	HMM-020	**Finding Date:**	16-Aug-04
Finding Rating:	Regulatory	**Finding History:**	New

Finding Title:	Non-Functioning 3-Point Lock
Finding Details:	29 CFR 1910.106 requires metal storage cabinets used for the storage of flammable/combustible liquids to be designed and constructed to resist fire, be properly labeled, and have a functioning three-point lock. Flammable storage cabinets at the Delaware North Companies & Park Services (DNCPS) Facility Shop, Building M6-504 and 90-day Building M6-506 lacked functioning three-point locks.
Facility Number:	Buildings M6-504 and M6-506
Facility Name:	DNCPS Buildings
Regulatory Citation:	29 CFR 1910.106(d)(3)(ii)(a)
Other Criteria:	NA
Question Number:	HM.35.4.US
Source:	Federal Team Guide
Root Cause Explanation:	Personnel were unaware that a functioning three-point lock was required.
Violation Type:	Fire Standard
Finding ID:	Deficiency in Storage Cabinet Management
Suggested Solution:	A new flammable storage cabinet should be purchased if the cabinets three-point lock cannot be repaired to operate as required.

Finding Number:	HMM-021	**Finding Date:**	16-Aug-04
Finding Rating:	Regulatory	**Finding History:**	New

Finding Title:	**Incidental Storage of Flammable Liquids**
Finding Details:	29 CFR 1910.106 requires that flammable liquids (Class IA) in quantities greater than 25 gallons be stored in flammable storage cabinets or indoor storage rooms that meet the fire resistance requirements. Several flammable liquids were stored inside the Delaware North Companies & Park Services (DNCPS) 90-day storage building. This building would not meet the fire resistance requirements for incidental flammable liquid storage. Incidental storage is defined as storage which is incidental to the facility's principal business, e.g., space exploration.
Facility Number:	Building M6-506
Facility Name:	DNCPS 90-day Storage
Regulatory Citation:	29 CFR 1910.106(e)(2)
Other Criteria:	None
Question Number:	HM.2.1.US
Source:	Federal Team Guide
Root Cause Explanation:	Personnel were unaware of the incidental storage requirements for flammable liquids.
Violation Type:	Fire Standard
Finding ID:	Improper Storage Practices
Suggested Solution:	Personnel should verify the flammability class for the flammable liquids in the storage room and store those materials meeting the flammability characteristics in a flammable storage locker inside the room. Class IA liquids have flashpoints below 73 degrees F (22.8 degrees C) and a boiling point below 100 degrees F (37.8 degrees C).

Finding Number:	HWM-052	**Finding Date:**	16-Aug-04
Finding Rating:	Regulatory	**Finding History:**	New

Finding Title:	**Inadequate Training Documentation**
Finding Details:	40 CFR 262.34, referencing 40 CFR 265.16, requires that personnel with unsupervised access to 90-day sites be trained in hazardous waste management and that training records include a job title for each position at the facility related to hazardous waste management. It should include the name of the employee filling each job; a written job description for each position listed; a written description of the type and amount of both introductory and continuing training for each person filling an identified position; and records that document the training. Johnson Controls designated job positions, position descriptions, and persons holding the position. A training matrix specified training requirements for each position. However, it was difficult to match the training documented with the training course specified as the required training course.
Facility Number:	NA
Facility Name:	Delaware North Companies & Park Services and Johnson Controls
Regulatory Citation:	40 CFR 262.34(a)(4) referencing 40 CFR 265.16(d)
Other Criteria:	NA
Question Number:	HW.60.1.US
Source:	Federal Team Guide
Root Cause Explanation:	The procedures developed did not facilitate training verification.
Violation Type:	Training
Finding ID:	90-day (180-Day for Small Quantity Generators) Accumulation Point
Suggested Solution:	Amend the training matrix to ensure that training received can be clearly tracked to the required training.

Disputed -

Use own words from write-up - explain our training binder "pointed out late to the auditor that there are notes on the matrix that explain the training required to fulfill each training obligations."

Finding Number:	HWM-059	**Finding Date:**	16-Aug-04
Finding Rating:	Regulatory	**Finding History:**	New

Finding Title:	**Open and Unlabeled Universal Waste**
Finding Details:	40 CFR 273.14 requires that universal waste be labeled "Universal Waste--Lamps," "Waste Lamps," or "Used Lamps." 40 CFR 273.13 requires handlers of universal waste lamps to keep containers and packages of lamps closed. 40 CFR 273.15 requires tracking the date universal wastes are discarded to be able to demonstrate that universal wastes remain on site no longer than one year. An open container of lamps labeled "HID" was stored in the Facilities Maintenance section of Building M6-0504.
Facility Number:	Building M6-0504
Facility Name:	Facilities Maintenance
Regulatory Citation:	40 CFR 273.14(e), 40 CFR 273.13(d)(1), and 40 CFR 273.15©
Other Criteria:	NA
Question Number:	HW.290.6.US
Source:	Federal Team Guide
Root Cause Explanation:	The person who discarded the lamps was not the one who packaged and labeled them; therefore, the lamps had remained in the open unlabeled container for several days.
Violation Type:	Operational Practices
Finding ID:	Satellite Accumulation Point Deficiency
Suggested Solution:	Properly package the lamps and train all individuals who discard lamps on the proper packaging and labeling procedures.

there were the trays of smaller bulbs- need to be in a closed box - non disputed

Finding Number:	HWM-061	**Finding Date:**	13-Aug-04
Finding Rating:	Regulatory	**Finding History:**	New

Finding Title:	**Metal Waste Residues Not Characterized**
Finding Details:	40 CFR 262.11 requires that waste generators determine whether solid waste also qualifies as hazardous waste. Personnel at Facilities Maintenance discarded small amounts of metal wastes, such as welding wire and tips and aluminum shavings, in the trash without testing to verify that the waste was nonhazardous waste.
Facility Number:	Building M6-0504
Facility Name:	Facilities Maintenance
Regulatory Citation:	40 CFR 262.11
Other Criteria:	NA
Question Number:	HW.10.1.US
Source:	Federal Team Guide
Root Cause Explanation:	The waste stream was not considered to be a potential hazardous waste because of its small volume.
Violation Type:	No Testing/Verification
Finding ID:	Lack of Characterization
Suggested Solution:	Collect the sweeping residue and test it for Toxicity Characteristic metals when an adequate sample has accumulated so as to provide for a representative sampling and testing. Manage any metal scraps that can be recycled as scrap metal.

non disputed

Finding Number:	HWM-069	**Finding Date:**	15-Aug-04
Finding Rating:	Policy	**Finding History:**	New

Finding Title:	Missing HWDIP Label
Finding Details:	The Waste Management Handbook specifies use of the Hazardous Waste Determination in Progress (HWDIP) label for wastes that have not yet been evaluated via the Waste Process Questionnaire (WPQ)/Technical Response Package (TRP) process. Uncharacterized parts washer waste at the Johnson Controls Small Engine Repair Shop was not labeled with the HWDIP label while determination of its regulatory status was being evaluated via the WPQ/TRP process.
Facility Number:	Building M6-0504
Facility Name:	Small Engine Repair
Regulatory Citation:	NA
Other Criteria:	Waste Management Handbook, KHB 8800.7, Revision D, February 2001, Figure 1 and Attachment C
Question Number:	HW.1.11
Source:	NA
Root Cause Explanation:	KSC procedures were not consistently implemented Center-wide. Each major contractor seems to have its own waste management procedures.
Violation Type:	Labels
Finding ID:	Other (please indicate in the "details" field the nature of the finding)
Suggested Solution:	Implement KSC procedures specified in the Waste Management Handbook.

possibly disputed

~~Has~~ Was the "Spent Parts Washer Solvent" been tested for Hazardous components?

Did Andy submit a WPQ for Spent Parts Washer?

must check records

Shawn told him we had submitted testing and were awaiting the results

no testing was needed, as only a gallon of solvent was in the can.

Finding Number:	HWM-071	Finding Date:	16-Aug-04
Finding Rating:	Management Practice	Finding History:	New

Finding Title:	Inconsistent Waste Labeling Procedures
Finding Details:	Although the KSC Waste Management Handbook specifies Center-wide procedures, each contractor implemented their own procedures, which sometimes differed from those specified in the Waste Management Handbook. For example, most Center personnel labeled hazardous waste with a yellow hazardous waste label; however, Biomedical Laboratory personnel labeled theirs as hazardous waste without the yellow label. Delaware North Park Service Johnson Controls personnel labeled their hazardous waste with the upper part of the hazardous waste label. Consistent procedure implementation would enhance perception of effective controls over hazardous waste at KSC.
Facility Number:	Center-wide
Facility Name:	NA
Regulatory Citation:	NA
Other Criteria:	NA
Question Number:	NA
Source:	NA
Root Cause Explanation:	NA
Violation Type:	Not Applicable
Finding ID:	Not Applicable
Suggested Solution:	Attempt to make KSC procedures contract requirements. In the future, consider making the actual KSC Waste Management Handbook as part of the actual contractual requirement for contractors.

disputed | clarifying

right up front - we do use the full label in the 90-day site

we use full Haz Waste label ~~in 90-day site~~ where necessary to put accumulation start date. some containers in satellite sites do not require accumulation start dates, and we cut off that part of the label

~~[illegible]~~ p. 2-10 and 2-11

we only have to mark it "Haz Waste" on the barrels which we do using [illegible], at the 90-day site full label is on it including ~~[illegible]~~ acc. start date

Finding Number:	HWM-073	Finding Date:	17-Aug-04
Finding Rating:	Management Practice	Finding History:	New

Finding Title:	Inadequate Re-evaluation Frequency
Finding Details:	Personnel re-submit Process Waste Questionnaire (PWQs) when processes change. However, processes may change in subtle ways, such as manufacturers' reformulation of materials used in the process, without the waste generator being aware of the change. Furthermore, waste evaluation processes and knowledge of the waste streams increase over time and may affect the way waste characterization personnel address the waste. KSC lacked a re-evaluation requirement to accommodate such changes.
Facility Number:	Center-wide
Facility Name:	NA
Regulatory Citation:	NA
Other Criteria:	NA
Question Number:	NA
Source:	NA
Root Cause Explanation:	NA
Violation Type:	Not Applicable
Finding ID:	Not Applicable
Suggested Solution:	Consider imposing a re-evaluation requirement to ensure that ongoing waste streams are periodically reviewed and validated whether or not the waste generator believes the waste-generating process has changed.

Finding Number:	POL-005	Finding Date:	10-Aug-04
Finding Rating:	Regulatory	Finding History:	New

Finding Title:	Inadequate Completion of SPCC Training for Oil-Handling Personnel
Finding Details:	40 CFR 112.7 requires that facilities to schedule and conduct discharge prevention training for all oil-handling personnel at least once per year to assure an adequate understanding of the Spill Prevention, Control, and Countermeasure (SPCC) Plan. KSC has developed an internet-based SPCC training program; however, some Contractors have noted firewall problems in accessing the site. In addition, several contractors have developed their own in-house training programs or have managed the training requirement through an additional outside contractor, Endine. In a spot check of KSC facility records, a majority of applicable oil-handling personnel have completed the annual required SPCC training. The locations and number of personnel requiring SPCC training to date are as follows: - Building M7-0453, Boeing Equipment Maintenance Facility, 6 personnel - Building P6-1435, Kennedy Athletic, Recreation, and Social Organization Skeet Ranges and Clubhouse, 5 personnel - Building K6-0848, United Space Alliance Vehicle Assembly Building, Mobile Launcher Platform Shop, 6 personnel - Building M6-0455, Delaware North Park Services, 6 personnel - Joint-Base Operating Services Contractor (JBOSC) Facility points-of-contact have been trained; however, classroom training of general oil handling personnel is awaiting adjustment to the service contract with JBOSC to start.
Facility Number:	Center-wide
Facility Name:	NA
Regulatory Citation:	40 CFR 112.7(f)
Other Criteria:	KSC SPCC Plan, December 2003
Question Number:	PO.5.7.US
Source:	Federal Team Guide
Root Cause Explanation:	Page 1 of the KSC SPCC Implementation Plan states: "SPCC Training Inadequate", and states: " all oil-handing personnel at KSC will receive annual SPCC training". The formal SPCC training program has been in operation since January 2004 and within the six-month period not all of the appropriate personnel have completed this training.
Violation Type:	Training
Finding ID:	Deficiency in Spill Training
Suggested Solution:	Confirm that all oil-handling personnel, including all applicable NASA contractors, have properly completed the annual SPCC training requirements.

Undecided - Angie searching for rosters
process was ongoing awhile, make-up date & then would
was not yet scheduled

DNPS

Finding Number:	POL-006	**Finding Date:**	15-Aug-04
Finding Rating:	Regulatory	**Finding History:**	New

Finding Title:	**Inadequate Fail Safe Feature on Used Oil Storage Tank**
Finding Details:	40 CFR 112.8 states that each bulk storage container must be provided with a fail-safe device, such as a high level liquid sensor, to avoid a potential discharge. The Delaware North Companies & Park Services (DNCPS) organization operates a tour bus maintenance facility that contains four used oil single-wall storage tanks with separate polyethylene secondary containment structures. One of the tanks had a visual level gauge that was broken.
Facility Number:	Building M6-0455
Facility Name:	DNCPS Tour Bus Servicing Building
Regulatory Citation:	40 CFR 112.8(c)(8)
Other Criteria:	KSC Spill Prevention, Control, and Countermeasure Plan, December 2003
Question Number:	PO.5.2.US
Source:	Federal Team Guide
Root Cause Explanation:	Insufficient maintenance of used oil storage tank.
Violation Type:	Inadequate Equipment/Containers
Finding ID:	Deficiency in Spill Equipment
Suggested Solution:	Replace the visual level indicator in the used oil storage tank. In addition, it is recommended that bowl-type fill ports at each of the tank inlets be installed. In the event of a spill while draining oil into the tank, the liquid would be contained and not flow down into the secondary containment area which would require a more difficult clean up. Also, attach an National Fire Protection Association diamond placard to the end of each tank facing the roadway to describe the used oil flammability rating.

Corrective action ~~taken~~ initiated same day, corrective done and confirmation provided before auditors left KSC

Finding Number:	STM-005	**Finding Date:**	15-Aug-04
Finding Rating:	Management Practice	**Finding History:**	New

Finding Title:	**Monitoring of Fuel Filling Operations Not Accomplished**
Finding Details:	The Delaware North Park Services operate a tour bus facility that contains two 10,000-gallon aboveground storage tanks that provide diesel fuel to the buses. The tanks are elevated over a concrete secondary containment structure. Each tank has a fuel level gauge that is located in the rear of the facility. During fueling operations, the gauges are not directly visible from the location of the tanker truck. Site operators stated that the tanker truck off-loads only 7,500 gallons into each tank when needed and tank levels are monitored before and after filling. However, the gauges are not continuously monitored during filing operations and there are no other provisions, such as a high level alarm, to prevent potential overfilling of the tanks.
Facility Number:	Building M6-0505
Facility Name:	Delaware North Companies & Park Services Tour Bus Fueling Facility
Regulatory Citation:	NA
Other Criteria:	29 CFR 1910.1200(f)(5), 40 CFR 112.7(g)(5)
Question Number:	NA
Source:	NA
Root Cause Explanation:	NA
Violation Type:	Not Applicable
Finding ID:	Not Applicable
Suggested Solution:	Although the tank system meets the requirements of having one fail-safe device to prevent overfilling, the tank gauges should be monitored by Delaware North Park Services Personnel during each tanker truck fill operation to prevent a potential overfill error. In addition, Hazard Communication standards require that hazard warnings also be provided. It is suggested that an NFPA diamond placard be installed to identify the fire hazards of the tank's contents, i.e., the flammability rating. Identification of the tank contents and fire hazard rating should be located on each side of the tank that faces the main roadways or access routes into the site. As an option, include a separate stencil or sign stating "No Smoking Within 50 Feet", as needed. Lastly, the existing lighting structures around the tank facility should also be confirmed that they provide enough illumination to observe a potential spill within the secondary containment structure during the hours of darkness.

disputed